

THE HON'BLE SRI JUSTICE SANJAY KUMAR  
AND  
THE HON'BLE SRI JUSTICE M.GANGA RAO

I.A.No.1 of 2018 in WRIT PETITION No.45486 of 2018  
and WRIT PETITION No.45486 of 2018

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

The petitioners are third parties to O.A.No.2643 of 2017 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad, filed by respondents 3 to 11 herein. By way of I.A.No.1 of 2018, they seek leave of this Court to maintain this writ petition against the order dated 22.06.2018 passed by the Tribunal in the aforestated O.A. The prayer in the O.A. reads as under:

“Application filed under Section 19 of the Administrative Tribunals Act, 1985 praying this Tribunal to call for records relating to Memo bearing No.201877/IE/A2/2016, dated 31-08-2017 and set aside the same as illegal, arbitrary, discriminatory and violative of Article 14 and 16 of the Constitution of India and consequently direct the 1<sup>st</sup> Respondent to consider the request of the applicants for providing promotional channel for the post of Physical Directors and Librarians to the post of Principal in A.P. Intermediate Education Service, 1993 in terms of its constitutional obligations adumbrated in Article 14 and 16 of the Constitution of India forthwith.”

By the order under challenge, the Tribunal merely directed the authorities to take appropriate steps for providing promotional avenues to the posts of Librarian and Physical Director in the Andhra Pradesh Intermediate Education Service Rules by making suitable amendments to the Rules on par with the post of Junior Lecturer in Junior Colleges or otherwise.

Sri Pappu Srinivasa Rao, learned counsel for the petitioners, would state that steps are being taken by the Government of Andhra Pradesh pursuant to the aforestated order of the Tribunal and the Commissioner of

Intermediate Education, Andhra Pradesh, was requested to examine the case in detail and furnish remarks duly proposing the necessary amendments to the Rules, under Memo dated 02.08.2018.

We are of the opinion that at this stage of the matter, the petitioners have no redressable grievance to approach this Court directly. As already stated supra, they were not even parties to O.A.No.2643 of 2017 and as no positive mandate was issued by the Tribunal by the order dated 22.06.2018 passed in the said O.A., the petitioners can have no grievance with a mere direction to the authorities to take appropriate steps for providing promotional avenues to the posts of Librarian and Physical Director by making suitable amendments to the relevant rules. Be it noted, the Tribunal also made it clear that such promotional avenues should be created on par with the post of Junior Lecturer in Junior Colleges or otherwise. Therefore, unless the exercise now proposed to be undertaken by the authorities culminates in actual amendments to the Rules, whereby the petitioners' apprehension that their own promotional avenues would be adversely affected stands crystallised or set at naught, it is not open to the petitioners to directly approach this Court apprehending such an adverse effect and seeking redressal of their grievance by this Court without first seeking adjudication thereof by the Tribunal in terms of the law laid down by the Supreme Court in *L.CHANDRA KUMAR V/ s. UNION OF INDIA*<sup>1</sup>. Be it viewed from any angle, we find that the petitioners have no right to maintain this writ petition.

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<sup>1</sup> (1997) 3 SCC 261

I.A.No.1 of 2018 is accordingly dismissed refusing leave to the petitioners to maintain this writ petition before this Court. In consequence, W.P.No.45486 of 2018 stands dismissed.

Other pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

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SANJAY KUMAR,J

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M. GANGA RAO, J

Date: 14.12.2018  
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