

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.156 of 2019

ORDER:

This writ petition is filed seeking a Writ of Mandamus declaring the action of the respondent Nos. 3 and 4 in not considering the representation of the petitioner dated 21.8.2018 for selection and appointment to the post of Secondary Grade Teacher, as illegal, improper, unjust and contrary to law and consequently direct the respondent No.3 to appoint the petitioner as Secondary Grade Teacher.

Heard Sri Mahadeva Kanthrigala, learned counsel for the petitioner and learned Government Pleader for Services-I, for respondents.

It has been contended by the petitioner that she is fully eligible and qualified to be appointed as Secondary Grade Teacher. The respondents have issued DSC-2003 for filling up the posts of Secondary Grade Teachers and the petitioner responded to the said notification and after due process of selection, she was provisionally selected for appointment to the post of Secondary Grade Teacher and the respondents have issued an intimation letter asking the petitioner to attend for certificates verification on 5.4.2008 along with all original certificates but due to certain health problems, the petitioner could not attend on the said date and only after recovering from health problems, she has submitted a representation to the respondents on 21.8.2018 requesting the respondents to consider her case for appointment to the post of Secondary Grade Teacher. The grievance of the petitioner is that though the petitioner has submitted a

representation on 21.8.2018 requesting the respondents to verify her certificates in pursuance of intimation letter dated 26.3.2008, the respondents are not verifying the certificates and not considering her case as Secondary Grade Teacher and therefore, contended that appropriate orders be passed on her representation directing the respondents to verify her certificates and to appoint the petitioner as Secondary Grade Teacher in pursuance of the intimation letter dated 26.3.2008.

Learned Government Pleader appearing for the respondents has contended that the petitioner appeared for DSC-2003 selections. The petitioner was given several opportunities to come and join as Secondary Grade Teacher and the intimation letters were given to the petitioner to attend for certificates verification and in spite of giving ample opportunities, the petitioner has not attended the certificates verification and at this belated stage, the case of the petitioner cannot be considered for appointment to the post of Secondary Grade Teacher. Learned Government Pleader has further contended that after DSC-2003 notification, four notifications were issued for filling up the post of Secondary Grade Teachers and therefore, contended that there are no merits in the writ petition and it may be dismissed.

This Court, having considered the rival submissions of the parties, is of the considered view that admittedly the petitioner has appeared for DSC-2003 selections and after ten years, the petitioner has submitted representation on 21.8.2018 to consider her case for appointment as Secondary Grade Teacher in pursuance of intimation letter dated 26.3.2008. As the petitioner has approached this Court, after more than ten years, it is a

belated claim made by the petitioner and the writ petition is liable to be dismissed on the grounds of delay and laches. Therefore, this Court is not inclined to grant any relief to the petitioner.

Accordingly, the writ petition is dismissed. No order as to costs.

Miscellaneous petitions pending if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 04/01/2019

Slk

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