

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.2864 of 2019

ORDER:

This writ petition is filed seeking the following relief :-

“.... to call for the records from the Respondents and issue an appropriate Writ, order or direction, particularly one in the nature of Writ of Mandamus, declaring that the action of respondents in not permitting the petitioner to report for duty for the post of Vidya Volunteer in Telugu or Urdu medium as illegal, unjust, contrary to law, arbitrary, unfair labour practice and violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents to permit the petitioner to discharge her duties as Vidya Volunteer by granting all consequential benefits”.

Heard Mr.Gadi Praveen Kumar, learned counsel for the petitioner and the learned Government Pleader for School Education.

It has been contended by the petitioner that though she was selected for the post of Vidya Volunteer during the academic year 2018-19, the respondents are not permitting her to discharge the duties as Vidya Volunteer.

The grievance of the petitioner is that though she is fully eligible and qualified to discharge the duties as Vidya Volunteer and she was subjected to regular selection process and selected as Vidya Volunteer, the respondents have not given any posting orders, pursuant to the said selection on the ground that the petitioner has studied SSC. in Urdu Medium. The petitioner contends that though she has studied SSC. in Urdu Medium, she is well versed in Telugu language and based upon her performance in the selection process only, the respondents have selected the petitioner as Vidya Volunteer for Telugu Medium.

Learned counsel for the petitioner contends that the respondents cannot reject the case of the petitioner only on the ground that the petitioner has studied SSC. in Urdu Medium. Therefore, the learned counsel contends that appropriate orders be passed in the writ petition directing the respondents to issue posting orders to the petitioner pursuant to her selection as Vidya Volunteer in Telugu medium.

Learned Government Pleader appearing for the respondents contends that since the petitioner has not studied SSC. in Telugu medium, her case was not considered for posting as Vidya Volunteer in Telugu medium. It is further contended that since it is not notified that the persons, who possessed SSC. in Urdu Medium are also eligible to apply for the post of Vidya Volunteer in Telugu Medium, the question of considering the case of the petitioner for posting as Vidya Volunteer in Telugu Medium does not arise, as the petitioner has studied SSC. in Urdu Medium.

This Court, having considered the rival submissions, is of the considered view that the respondents cannot deny posting orders to the petitioner only on the ground that the petitioner has studied SSC. in Urdu Medium. When the petitioner is able to read, write and speak Telugu fluently and when the respondents after subjecting the petitioner to regular selection process have selected the petitioner as Vidya Volunteer, the respondents cannot deny posting orders to the petitioner only on the ground that the petitioner has studied SSC. in Urdu Medium. Therefore, the respondents are directed to consider the case of the petitioner and issue posting orders to the petitioner for the post of Vidya Volunteer in Telugu Medium, pursuant to her selection by the Selection

Committee, within a period of two weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of.
No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 25-02-2019
Prv

