

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.3712 of 2019

ORDER:

This petition is filed for a writ of *Mandamus* declaring the action of the respondents in not considering the candidature of the petitioner though she is eligible and qualified for the post of School Assistant in Hindi Language and in not considering her representations dated 04.02.2019 and 08.02.2019, as arbitrary, illegal and in violation of Articles 14 and 21 of the Constitution of India; and for a consequential direction to the respondents to consider the representations of the petitioner by verifying her certificates in pursuance of the second spell list uploaded on 30.11.2018.

2. Heard Sri Pranathi Reddy, learned counsel for the petitioner and Sri D.Balakishan Rao, learned Standing Counsel for the 2nd respondent.

3. It has been contended by the petitioner that she is fully eligible and qualified to be appointed for the post of School Assistant in Hindi Language; that the respondents have issued a notification for filling up the posts of School Assistants in Hindi Language vide Notification No.52/2017, dated 21.10.2017; and that the petitioner has responded to the said notification and appeared for the written examination conducted by the respondents. Thereafter, when the respondents uploaded the selection list, petitioner's name was

not found. The petitioner also submits that subsequently the respondents uploaded the 2nd spell selection list in the website for filling up the non-joining vacancies, but the same was not intimated to her. The petitioner further submits that in fact her name was short listed in the second spell of selection list; and that as she was not informed by the respondents that second spell of selections were being conducted for non-joining vacancies, she could not participate in the said selections. There after the respondents uploaded 3rd and 4th spells of selection lists in the website. She further submits that she also made representations on 04.02.2019 and 08.02.2019, immediately, when she came to know that she failed to participate in the second spell of selections because of lack of communication, requesting the respondents to consider her case for appointment to the post of School Assistant in Hindi Language as the respondents considered less meritorious candidates ignoring the candidature of the petitioner.

4. Learned counsel for petitioner contends that appropriate orders be passed in the writ petition directing the respondents to consider the case of petitioner in non-joining vacancies, if any, for the post of School Assistant in Hindi Language.

5. Learned Standing Counsel appearing for the 2nd respondent submits that they have uploaded the list of candidates for second spell of selections in the website and the

same was also informed to the petitioner by sending message through SMS service to the personal phone number of the petitioner, inspite of the same, the petitioner has not chosen to participate in the second spell of selections. He also submits that after completion of 2nd spell of selections, 3rd and 4th spells of selections were also conducted; and that there are no merits in the writ petition, as such, the same is liable to be dismissed.

6. This Court having considered the rival submissions made by both the parties, is of the considered view that the ends of justice would be met if the writ petition is disposed of directing the respondents to consider the representations submitted by the petitioner on 04.02.2019 and 08.02.2019 for appointment to the post of School Assistant in Hindi Language, if there are still any unfilled vacancies are available and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

7. Accordingly, the writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

25.03.2019
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