

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION NO.9675 OF 2019

ORDER:

The case of the petitioner is that she is a teacher from Telugu medium academic background teaching Telugu language in a private school in Hyderabad. In pursuance to the notification issued by the respondents for conducting B.Ed (Distance Mode) Entrance Test for filling up of 500 seats for admission into two-years B.Ed (Distance Mode) programme for Trained In-Service teachers for the academic year 2019-20, the petitioner applied through on-line and she was issued hall-ticket bearing No.500910 but examination was conducted on 21.04.2019 in English language though she opted Telugu as medium of instruction. Aggrieved by the action of the respondents in conducting the examination in English language, though she has opted Telugu as medium of instruction in her application, the petitioner filed this Writ Petition.

Counsel for the petitioner asserted that as per G.O.Ms.No.13 dated 27.05.2017, the medium of Ed.CET would be English, Telugu and Urdu languages and the petitioner has specifically opted Telugu language but the respondents have not followed the said rules.

Counter affidavit is filed by the respondents stating that the admissions into B.Ed have been made on 30.05.2019 by strictly following NCTE, New Delhi guidelines and the guidelines given by the School Education Department of Government of Telangana State through G.O.Ms.No.13 dated 27.05.2017 and almost all the seats are filled on the basis of the rank scored by the candidates

and rule of reservation by the time interim orders are passed by this Court. The respondents have also stated that the petitioner, who is working in a Government recognized school and whose service certificate has to be signed by competent authority, has submitted service certificate without any signature from MEO/DEO. It is further submitted that all the candidates were given clear instructions to go through the prospectus before applying for B.Ed (Distance Mode) Programme. Further, the counselling process for admission into B.Ed (Distance Mode) Programme was completed on 30.05.2019 and almost all the seats are filled. However, learned counsel for the petitioner mislead the Court stating that the counselling scheduled on 30.05.2019 has been postponed and obtained interim order. Apart from that, the petitioner failed to implead the other meritorious candidates seeking B.Ed admission course.

Sri V.V.S.N.Raju, learned counsel for the petitioner, submits that the objections raised regarding eligibility of the petitioner were not raised in respect of the other candidates and other candidates were allowed as eligible candidates. He also submits that having scrutinized the certificates filed by the petitioner, respondents issued hall-ticket and allowed her to write the examination and now they are estopped from contending that the petitioner is not eligible to appear for the said examination.

Sri Ch. Jagannatha Rao, learned Standing counsel for Osmania University, submits that G.O.Ms.No.13 dated 27.05.2019 is not applicable to B.Ed (Distance Mode) Education as the same is issued in respect of regular B.Ed course. He submits that even in the application of the petitioner, she has mentioned TTC as

qualification whereas she produced a certificate issued by SETWIN showing that she completed the course PPTTC which is of six months duration. As such, he stated that the petitioner is not eligible to the said course, apart from reiterating the counter stating that the certificates are also not signed by the competent authority as per the notification.

Heard Sri A. Abhishek Reddy, learned counsel for the fifth respondent.

In this case, it is to be seen that admittedly, the petitioner does not possess the eligibility criteria. As the petitioner's counsel contends regarding the eligibility of the candidates that the respondents have accepted her certificates and issued hall-ticket and allowed the petitioner to write the examination without taking into account the eligibility criteria fixed in the notification itself and even the prospectus, admittedly, the certificates were not signed by the competent authority and the petitioner has completed TTC course as per the eligibility criteria. In view of the same, it is seen that the application is made through on-line and the petitioner has mentioned in her application as TTC and basing on the same, hall-ticket was issued. Mere issuance of hall-ticket does not mean that the petitioner is eligible and the eligibility is accepted by the respondents. The petitioner could not satisfy this Court that the petitioner is eligible for applying the entrance examination for admission into B.Ed (Distance Mode) Examination. As such, no relief can be granted.

The contention that G.O.Ms.No.13 dated 27.05.2017 is not applicable to the distance mode cannot be accepted because the notification itself provides for examinations as per the guidelines

provided. Though the petitioner is not entitled for the relief, but the issue in the Writ Petition is having allowed the petitioner to write the entrance examination for B.Ed (Distance Mode) through Telugu medium. Such entrance examination should have been conducted in Telugu language instead of language other than Telugu. But when the petitioner chose medium of instruction as Telugu, which is also provided in the rules, it is not known as to how the authorities have not followed the guidelines provided in G.O.Ms.No.13 dated 27.05.2017. At least in future years, this aspect shall be borne in mind by the authorities while conducting examinations.

Subject to the above, the Writ Petition is dismissed. There shall be no orders as to costs. Miscellaneous applications, if any, pending shall stand dismissed.

(A.RAJASHEKER REDDY, J)

13th June 2019
RRB