

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.10330 OF 2019

ORDER:

This writ petition is filed seeking a writ of Mandamus declaring the action of the 2nd respondent in not including the petitioner's name in the interview list of Assistant Professor Pharmacology in Directorate of Medical Education to be held on 21.05.2019 pursuant to the representation dated 10.05.2019 made by the petitioner before the 2nd respondent as illegal, arbitrary and unjust and consequently direct the 2nd respondent to dispose of the representation dated 10.05.2019 in accordance with Rule 22 A(1) of the A.P. State Subordinate Service Rules, 1996.

Heard Sri B.Subash, learned counsel for the petitioner and Sri D.Balakishan Rao, learned standing counsel for TSPSC.

It has been contended by the petitioner that he is working as Assistant Professor on temporary basis in the Department of Pharmacology. While the petitioner is discharging his duties on temporary basis, the 2nd respondent issued notification No.49/2017, dated 12.09.2017 for filling up the post of Assistant Professor Pharmacology on regular basis. Since the petitioner is fully eligible and qualified to be appointed to the post of Assistant Professor Pharmacology, the respondents have issued the above notification inviting applications from the qualified candidates through the proforma application. The petitioner has responded to the said notification and has participated in the selection process and the petitioner has fared decently well in the selection process and in fact, the 2nd respondent had issued proceedings dated 09.02.2018 to the effect that the petitioner is eligible for further selection process. The petitioner further contends that the interviews list was notified by the 2nd respondent and the name of the petitioner was omitted in the short listed candidates, who are yet to be

interviewed by the 2nd respondent. In those circumstances, the petitioner submitted representation dated 10.05.2019 to the 2nd respondent requesting to consider his case and permit him to participate in the interview process, which is scheduled to be held from 21.05.2019 from 09 AM onwards, so far the respondents have not passed any orders on the representation nor considered the case of the petitioner for appointment to the post of Assistant Professor Pharmacology. Therefore, learned counsel for the petitioner contends that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner and pass appropriate orders thereon in accordance with law.

Learned Standing Counsel appearing for the 2nd respondent had contended that the cases of the petitioner would be examined and appropriate orders would be passed on the representation submitted by the petitioner.

This Court, having considered the rival submissions of the learned counsel for respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioner on 10.05.2019 and pass appropriate orders thereon in accordance with law, within a period of four 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 SHAVILI, J

Dated: 15th May, 2019
kvrn