

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.9052 of 2018

ORDER:

This writ petition is filed seeking the following relief :-

“.....to issue an appropriate Writ, Order of direction preferably one in the nature of Writ of Mandamus and to issue a direction, order or writ more particularly one in the nature of Writ of Mandamus to declare the action of the respondents in not considering the case of the petitioners for appointment to the post of Language Pandit (Telugu) in DSC2006/ 2008 with their qualifications i.e., pre-degree course (Telugu) which is equivalent to the oriental language, the same was declared by this Honble Court in W.P.No.20949/ 2000 and Batch dated 13.12.2002 and they are eligible for the selections and appointment to the post of Language Pandit (Telugu), the said action of the respondents is highly illegal, arbitrary, unreasonable, discriminatory and also in violation of Art.14, 16 and 21 of the Constitution of India and declare the same as bad in law and consequently direct the respondents to consider the case of the petitioners for appointment to the post of Language Pandit (Telugu) as per their selections and merit in any of the existing or arising vacancies in Medak/ Sangareddy Districts by following this Hon'ble Court Judgment in W.P.No.20949/ 2000 and Batch dated 13.12.2002”.

Heard Mr.C.Raja Sekhar Reddy, the learned counsel for the petitioners and the learned Government Pleader for Services-I.

It has been contended by the petitioners that they are fully eligible and qualified to be appointed to the post of Language Pandit (Telugu) and they have responded to the DSC-2006/2008 Notification and they have fared decently well in the selection process and they have secured more marks. However, the cases of the petitioners have not been considered on the ground that the qualification possessed by them was not equivalent to that of

qualification prescribed for the post of Language Pandit (Telugu). Aggrieved thereby, the petitioners filed O.A.No.3869 of 2006 before the then A.P.Administrative Tribunal and initially the Tribunal was pleased to grant interim order and later by following the order dated 13.02.2002 passed in W.P.No.20949 of 2000, the Tribunal was pleased to dispose of the said O.A. on 26.03.2007. After disposing of the OA., the cases of the petitioners were not considered. The petitioners have filed an application under the Right to Information Act on 18.11.2017 and the respondents have furnished information to the petitioners on 12.12.2017 to the effect that the persons, who were possessing similar qualification to that of petitioners were appointed pursuant to DSC 2006-2008 Notification. As the petitioners also stand on the same footing, they have filed a representation before the respondents on 24.07.2017. But, so far, the respondents have not passed any orders on the said representation nor considered the cases of petitioners for appointment to the post of Language Pandit (Telugu).

Learned counsel for the petitioners contends that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioners on 24.07.2017 and pass appropriate orders in accordance with law.

Learned Government Pleader appearing for the respondents has contended that since the representation is pending with the respondents, the respondents would consider the same and pass appropriate orders in accordance with law.

This Court, having considered the rival submissions made by the learned counsel for the 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 petitioners on 24.07.2017 and pass appropriate orders in accordance with law within a period of eight 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.

Date: 02-12-2019
Prv

ABHINAND KUMAR SHAVIL, J



