

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.11405 of 2019

ORDER:

With the consent of learned counsel for both parties, this writ petition is being disposed of at the admission stage.

This writ petition is filed seeking a Writ of Mandamus, to declare the inaction of the 1st respondent in appointing the petitioner to the post of Principal (School) in Residential Educational Institutions Societies under notification dated 02.06.2017, despite her qualifying in the written examination and her experience being certified by respondents 2 and 3, as arbitrary, unreasonable and unconstitutional and sought a consequential direction to the 1st respondent to issue the appointment order to the petitioner for the post of Principal (School) in Residential Educational Institutions Societies under notification dated 02.06.2017.

Heard Sri Vedula Srinivas, learned counsel for the petitioner, Sri D. Bala Kishan Rao, learned Standing Counsel for respondent No.1, and the learned Government Pleader for respondent Nos.2 and 3.

It has been contended by the petitioner that she is fully eligible and qualified to be appointed for the post of Principal (School) and the respondents have issued recruitment notification on 02.06.2017 for the posts of Principal (School) in Residential Educational Institutions Societies. The petitioner further contended that since she is fully eligible and qualified for appointment to the post of Principal (School), she has responded to the said notification and has fared decently well in the said selections. It is also contended that the qualifications prescribed for the post of Principal (School) in Residential Educational Institutions Societies are as follows:

Post Code	Name of the Post	Educational Qualifications & Experience
1.	Principal (School) in Telangana Residential Educational Institutions Society.	A. Academic Qualifications i) A Second Class Master's Degree (M.A/M.Sc/M.Com) or its equivalent from an institution recognized by the UGC, in the relevant (Annexure-A) school subjects for which the Post Graduate Teachers (PGT) are eligible with not less than 50% of marks in aggregate or its equivalent. ii) In case of SC/ST/BC/Differently abled candidates, the minimum marks shall be 45% iii) A B.Ed. or equivalent degree from an Institution recognized by the NCTE with the Teaching Methodology in the concerned subject. B. Experience iv) A total teaching experience of not less than (8) years including not less than (5) years as PGT/J.L. in any Government/Aided/ Government recognized High School/Junior College and (3) years of administrative experience as Head Master/Principal of Government/Aided/Government recognized High School/Junior College. C. Desirable Knowledge of Computer Applications
2.	Principal (School) in Telangana Social Welfare Residential Educational Institutions Society.	
3.	Principal (School) in Mahatma Jothiba Phule Telangana Backward Classes Welfare Residential Educational Institutions Society.	
4.	Principal (School) in Telangana Minorities Welfare Residential Educational Institutions Society.	
5.	Principal (School) in Telangana Tribal Welfare Residential Educational Institutions Society.	

It has also been contended by that the petitioner that as she has fulfilled all the requisite qualifications, she was expecting that her case would be considered for appointment to the post of Principal (School). The petitioner further submits that though she has secured decent rank in the merit list, her case was rejected on the ground that her experience certificate was not certified by the DEO and the records were not available. It is also stated that after the said rejection, the case of the petitioner was re-considered by the DEO and other authorities of the Education Department and they have certified that the petitioner is having requisite experience and that the petitioner has filed the experience certificate attested by the Deputy Inspector of Police as well as the DEO, a copy of

which is filed at page No.24 of the material papers filed along with the writ petition.

Therefore, learned counsel for the petitioner submits that appropriate orders be passed in the writ petition directing the 1st respondent to consider the experience certificate attested by the 2nd and 3rd respondents i.e., Deputy Inspector of Schools and the District Educational Officer, respectively, and let the case of the petitioner be considered for appointment to the post of Principal (School).

Learned Standing Counsel appearing for the respondents had submitted that earlier this Court had disposed of similar writ petitions i.e., W.P.No.5672 of 2019 and batch vide orders dated 10.04.2019, wherein the petitioners therein were directed to submit individual representations by enclosing the experience certificates to the Telangana State Public Service Commission and, upon such representations being received, the Telangana State Public Service Commission was directed to examine each individual case on its merits and pass individual speaking orders. Learned Standing Counsel further submitted that in view of the orders passed in W.P.No.5672 of 2019 and batch, this writ petition can also be disposed of directing the petitioner to submit a representation to the 1st respondent and upon such a representation being made, the 1st respondent shall consider the same and pass appropriate orders in accordance with law.

This Court, having considered the rival submissions of the learned counsel for both sides, is of the considered view that this writ petition can be disposed of directing the petitioner to submit a fresh representation to the 1st respondent, staking her claim for appointment to the post of Principal (School) on the strength of the experience certificate attested by the 2nd and 3rd respondents, within a period of two weeks from the date of

receipt of a copy of this order and, upon such a representation being received, the 1st respondent shall consider the same taking into account the experience certificate, which is filed at page no.24 of the material papers, and pass appropriate orders in accordance with law within a period of four weeks thereafter.

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

18th June 2019
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