

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT PETITION No.12314 of 2019**

**ORDER:**

Heard Sri G.V.L.Murthy, learned counsel for the petitioners, learned Government Pleader for Services –II, Sri P.V.Vijay Kumar, learned counsel for the unofficial respondents and Sri S.V.L.Narsimha Swamy, learned counsel for respondent No.17.

This writ petition is filed seeking the following relief :-

“.....Writ of Mandamus or any other order declaring the action of the Respondent in issuing local agency certificates to the Respondents in violation of Memo Rc.No.950/2011/TRI/VC-7, dt.07.07.2011 and by conducting Panchanama and without insisting for the required certificates as illegal, arbitrary, unilateral and by cancelling the local schedule tribe certificate of the unofficial schedule tribe certificate of the unofficial respondents No.11 to 18 by conducting a fresh enquiry about the local schedule tribe certificate by duly following the guidelines issued under Memo Rc.No.950/2011/TRI/VC-7, dt.07.07.2011 pursuant to G.O.Ms.No.3, dt.10.01.2000 by considering the case of the petitioners for appointment of SGT pursuant to the notification No.53/2017, dt.21.10.2017 conducted by the Telangana State Public Service Commission by cancelling the unofficial respondent's selection and pass such other order or orders.....”

It has been contended by the petitioners that they are fully eligible and qualified to be appointed in the posts of Secondary Grade Teacher (SGT) and accordingly they have responded to the Notification No.53/17, dt.21.10.2017

issued by the 2<sup>nd</sup> respondent. The grievance of the petitioners is that though they have fared well in the selection process, their names could not find place in the merit list. Petitioners are all local schedule tribe candidates and as per the policy of the State Government, the posts are to be filled up with the local scheduled tribe candidates, and though the unofficial respondents are not local schedule tribe candidates, the Revenue authorities issued certificates in favour of unofficial respondents without verifying the same in terms of Memo dt.07.07.2011.

Learned counsel for the petitioners therefore, contends that appropriate orders be passed in this writ petition directing the respondents to verify the correctness of the local schedule tribe certificates issued in respect of unofficial respondents strictly in terms of the Memo dt.07.07.2011.

Learned Government Pleader appearing for the respondents contends that the Revenue Administration i.e., the Tahsildar, who is the competent authority to issue local schedule tribe certificates, has issued certificates in favour of the unofficial respondents, only after conducting a thorough enquiry and by following the procedure prescribed under the Rules. Therefore, he contends that there are no merits in the writ petition and the same is liable to be dismissed.

Learned counsel appearing for the unofficial respondents contends that the petitioners having been

unsuccessful candidates in the selection process, only for the sake of objecting the selection and appointment of unofficial respondents, have filed the present writ petition. As per G.O.Ms.No.24, dt.12.06.2018, there is a Committee constituted in accordance with the Rules and if the petitioners are aggrieved by the issuance of local schedule tribe certificates in favour of unofficial respondents, they can approach the said Committee by giving a representation and it is for the Committee to enquire into the matter and pass appropriate orders in accordance with law. He further contends that the competent authority had issued local schedule tribe certificates in favour of the unofficial respondents only after following due procedure and after thorough verification. Therefore, he contends that there are no merits in the writ petition and the same is liable to be dismissed.

This Court, having considered the rival submissions of the learned counsel appearing for the respective parties, is of the considered view that the competent authority i.e., Tahsildar has filed an affidavit before this Court to the effect that he has verified the names of the unofficial respondents and after following the due procedure, he has issued local schedule tribe certificates in favour of unofficial respondents and as long as the certificates issued by the competent authority are valid, the unofficial respondents cannot be denied appointment to the posts of SGT.

Therefore, in view of the above observations, this Court is not inclined to interfere in the matter and if the petitioners have any grievance regarding issuance of local schedule tribe certificates in favour of unofficial respondents, it is for the petitioners to approach the Committee seeking redressal of their grievance. Petitioners are also at liberty to pursue their remedies in accordance with Rules and procedure contemplated in G.O.Ms.No.24 dt.12.06.2018.

Accordingly, this writ petition is dismissed. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

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**ABHINAND KUMAR SHAVILI, J**

Date: 11-12-2019  
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