

**High Court for the State of Telangana**

**The Hon'ble The Chief Justice Raghvendra Singh Chauhan**

**and**

**The Hon'ble Sri Justice A. Abhishek Reddy**

**W.P. No. 18864 of 2019**

**Date: 30-08-2019**

**Between:**

Medapalli Nagasuresh Kumar & 2 others

**...Petitioners**

**And**

The High Court for the State of  
Telangana at Hyderabad  
Through Registrar Administration  
(in charge recruitment) and another

**...Respondents**

**Counsel for the petitioners: Mr. P. Rama Sharana Sharma**

**Counsel for the respondents: Mr. Swaroop Oorilla,  
Standing Counsel for THC**

**The Court made the following:**

**Order:** (per Hon'ble The Chief Justice Raghvendra Singh Chauhan)

The petitioners have challenged the legality of notification dated 07-08-2019, issued by the Principal District and Sessions Judge, Khammam, the respondent No. 2, notifying vacancies for the posts of Junior Assistants, Typists, Copyists, Field Assistants, Examiners, Process Servers *etc.*,

The brief facts of the case are that on 04-05-2015, the respondent No. 2 had issued a notification inviting applications for appointment to the aforesaid posts. The written examination was held on 12-06-2016. However, the selection process never culminated into appointment of any candidate. In fact, the selection process was left incomplete. On 07-08-2019, the respondent No. 2 has issued the impugned notification calling for applications for selection to the posts as mentioned hereinabove. Hence, this petition before this Court.

The learned Standing Counsel for the respondents has raised a preliminary objection with regard to the maintainability of the present petition. According to the learned counsel, since the petitioners do not have a civil right, or a fundamental right to be appointed to a post even under the previous

notification dated 04-05-2015, they cannot plead that the said selection process should be completed. Since there is no violation of civil or fundamental right, the present petition is not maintainable. Moreover, in the impugned notification, the age relaxation has also been given. Therefore, the petitioners are free to compete under the said notification. Hence, according to the learned counsel, this writ petition is neither maintainable, nor any relief can be granted to the petitioners.

On the other hand, the learned counsel for the petitioners submits that the principles of natural justice have been violated; it is unfair on the part of the respondents to expect the petitioners to compete with the younger generation. Therefore, the petitioners claim that they are entitled to a relief from this Court.

Heard the learned counsel for the parties, and perused the record.

It is, indeed, trite to state that a person, who participates in the selection process, does not have a civil, or a fundamental right of appointment. He merely has an inchoate right of consideration. Therefore, the petitioners cannot claim that they have a civil, or a fundamental right to be appointed as the

Examiner, Junior Assistant and Process Server respectively under the previous notification. Hence, the present writ petition is not maintainable under Article 226 of the Constitution of India.

For the reasons stated above, this Court does not find any reason to entertain this writ petition. It is, hereby, dismissed.

As a sequel, miscellaneous petitions, pending if any, stand dismissed as infructuous.

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(Raghvendra Singh Chauhan, CJ)

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(A. Abhishek Reddy, J)

Dt: 30<sup>th</sup> August, 2019  
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