

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.20104 OF 2019

Date: 18.09.2019

Between:

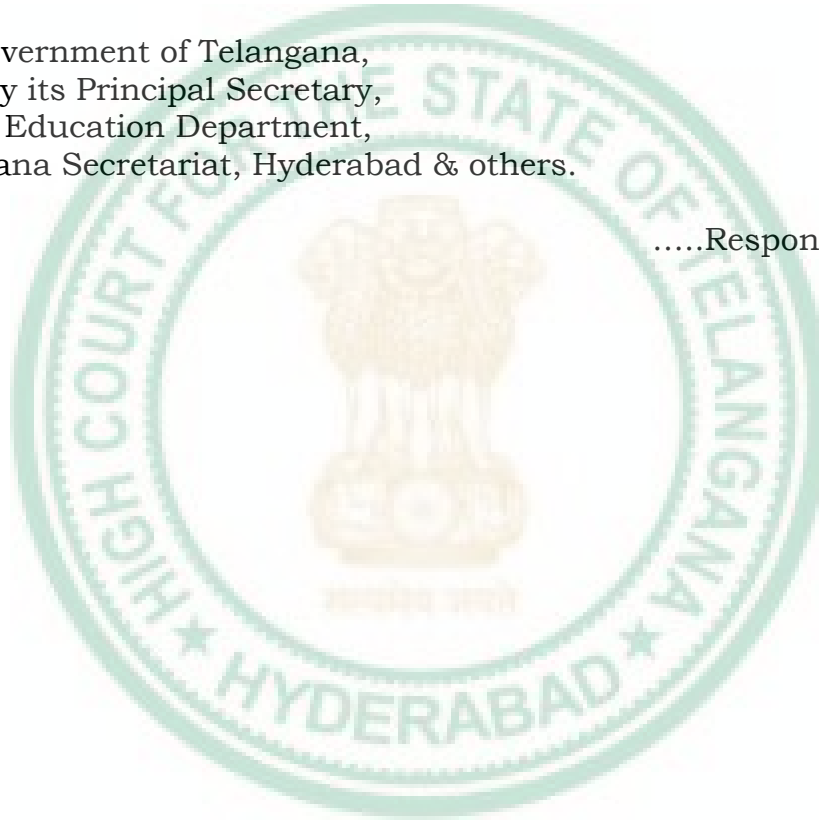
K.Srilatha D/o.Purshothom,
Aged 38 yrs, Occu : Private Employee,
R/o.H.No.1-112, Odyram Village,
Post Narsingapur, and Mandal Gangadhara,
Karimnagar District, T.S.
Hall Ticket No.1729001619.

.....Petitioner

And

The Government of Telangana,
Rep., by its Principal Secretary,
School Education Department,
Telangana Secretariat, Hyderabad & others.

.....Respondents



The Court made the following:

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.20104 OF 2019

ORDER:

Heard learned counsel for the petitioner, learned Government Pleader for Education for 1st respondent, Sri D.Balakishan Rao, learned Standing counsel for the 2nd respondent and Sri N.Bhupal Reddy, learned Standing counsel for the 3rd respondent.

2. Petitioner participated in the selections to the post of Principal in various institutions, pursuant to the recruitment Notification No.29 of 2017 dated 02.06.2017. Her candidature for further selection process was rejected on the ground that she does not have teaching experience after obtaining post graduation.

3. Petitioner placed reliance on the experience certificate issued by Vasant Valley High School English Medium, Hanuman Nagar, Karimnagar showing that petitioner worked in the said school as School Assistant [Maths] from 2006 to 2011. According to learned counsel for petitioner the Public Service Commission erroneously ignored service rendered prior to Post graduation qualification.

4. Paragraph No.4 of the recruitment notification prescribes educational qualifications and experience. Under the column Experience, a person must have total teaching experience of not less than eight years including five years as Post Graduate Teacher in High school or Junior lecturer in Junior College and three years administrative experience as headmaster of School or Principal of Junior College.

5. Thus, a person must have experience as Post Graduate teacher in High School or a Junior lecturer in a Junior College. It is not in dispute that petitioner obtained Post Graduation in M.Sc. Psychology in the year 2008. Though petitioner was not designated as Post Graduate Teacher, even if the Court takes lenient view and treat the post of School Assistant as equivalent to Post Graduate Teacher, but before 2008 petitioner did not have Post Graduation. Therefore, the alleged experience claimed by her as School Assistant prior to 2008 cannot be treated as equivalent to teaching experience as Post Graduate Teacher. Therefore, I do not see any error in the decision arrived at by the Public Service Commission, on the eligibility of the petitioner and rejecting her candidature for further selection process.

6. Learned counsel for the petitioner placed reliance on the decision in **P.Ramachandra Rao Vs State of Karnataka**¹ to contend that it is permissible to writ Court to undertake judicial legislation by interpreting the relevant provisions and remove the lacunae. In fact even by extending the same principle to the petitioner's case, his experience as School Assistant is treated as valid, but as petitioner did not have Post Graduation before 2008 the primary requirement is not fulfilled by the petitioner.

7. Therefore, the teaching experience of the petitioner prior to 2008 cannot be treated as requisite teaching experience as per the recruitment notification. I therefore, do not see any error in rejecting the candidature of petitioner for further selection process, warranting interference by this Court.

¹ (2002) 4 Supreme Court Cases 578

8. Writ Petition is accordingly, dismissed. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO, J

18th September, 2019
Rds

