

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.1051 of 2011

ORDER:

This writ petition is filed seeking the following relief:

“.... writ of Mandamus declaring that the action of the first respondent in filling up the teaching posts without advertising for the same except as provided under statute 21 of the statutes framed under Section 25 (1) of The University of Hyderabad Act or in the case of temporary vacancy for a period not exceeding six months in all, inclusive of breaks, if any, is arbitrary, illegal and violative of the Fundamental Rights guaranteed under Articles 14 and 16 of the Constitution of India and issue a consequential direction to the first respondent not to fill up any such temporary or regular without advertising for the same and pass such other order or orders as are deemed fit and proper in the circumstances of the case.”

2. Heard Sri Chandraiah Sunkala, learned counsel for the petitioner, and M/s.Indus Law Firm for the respondent-University.

3. Petitioner contends that he is fully eligible and qualified to be appointed as a lecturer in the first respondent-University. The grievance of the petitioner is that since the first respondent is not following the Rules and Regulations made under The University of Hyderabad Act, 1974, and not notifying the vacancies, the petitioner is deprived of opportunity to apply to the post of lecturer. Therefore, the learned counsel for the petitioner contends that appropriate orders be passed in the writ petition directing the respondent-University to fill up all the temporary and regular vacancies only by issuing an

advertisement, so that as and when the first respondent-University issues any notification, the petitioner can respond to the same.

4. Learned Standing Counsel for the respondent-University would contend that the first respondent would make advertisement before making any appointment either on temporary or regular basis. He would further submit that only after following the prescribed procedure, the respondents will make appointments in accordance with law.

5. Having considered the rival submissions, this Writ Petition is disposed of directing the first respondent-University to follow the procedure set out in The University of Hyderabad Act, 1974, and the Statutes made thereunder, for filling up the posts in the respondent-University.

6. As a sequel to disposal of the writ petition, miscellaneous petitions pending in this writ petition, if any, shall stand closed. No orders as to costs.

ABHINAND KUMAR SHAVILI, J

28.08.2019.
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