

HIGH COURT FOR THE STATE OF TELANGANA

THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN

AND

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION No.41821 OF 2018

28.08.2019

Between:

B. Karuna Sri

...Petitioner

And

The State of Telangana and another

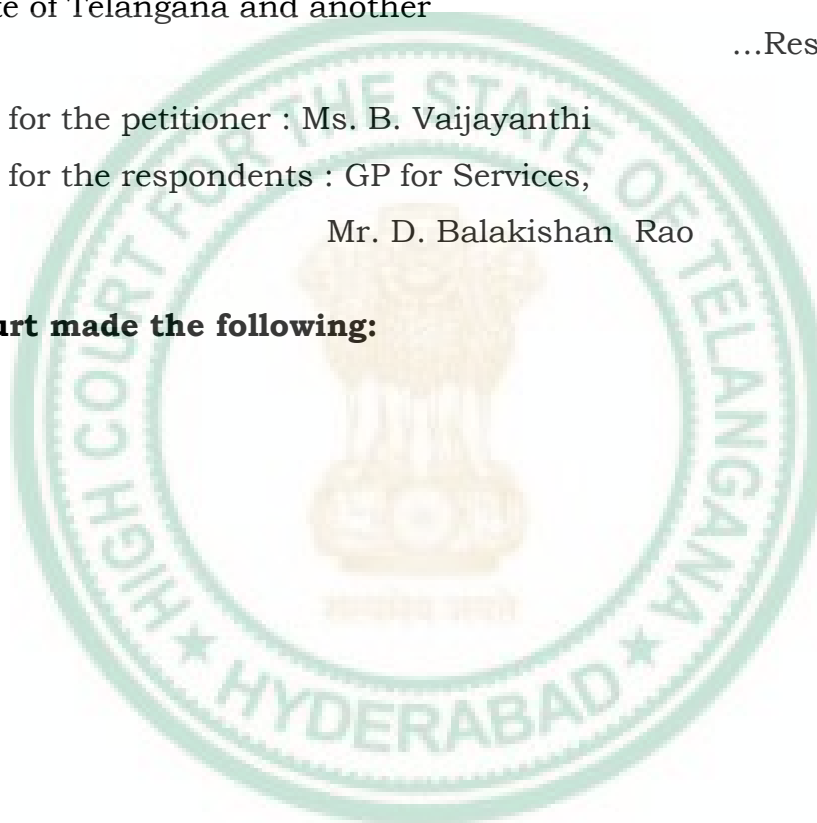
...Respondents

Counsel for the petitioner : Ms. B. Vijayanthi

Counsel for the respondents : GP for Services,

Mr. D. Balakrishnan Rao

The Court made the following:



ORDER : (Per the Hon'ble the Chief Justice Sri Raghvendra Singh Chauhan)

The petitioner has challenged the order dated 08.06.2015, passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, whereby the learned Tribunal has dismissed O.A.No.7021 of 2012 filed by her.

Briefly stated, the facts of the case are that the petitioner claims that she had applied for Group-II Services conducted by the Andhra Pradesh Public Service Commission on the basis of the notification dated 28.12.2007. Despite the fact that she has hearing impairment of 63%, and inspite of the fact that she has scored 142 marks in the written examination, she was not selected for the post. Therefore, she had challenged her non-selection before the learned Tribunal. However, by the impugned order, the learned Tribunal has dismissed the O.A. Hence, this appeal before this Court.

Ms. B. Vijayanthi, the learned counsel for the petitioner, has vehemently pleaded that according to the medical certificate issued, the petitioner was suffering 63% of hearing impairment. Therefore, she was entitled to be selected for the post. Hence, the learned Tribunal is unjustified in dismissing her O.A.

On the other hand, Mr. D. Balakishan Rao, the learned counsel for the respondent No.2, pleads that there were only two classes of posts, namely Executive and Non-executive. In the quota meant for handicapped women, the cut-off marks were 205 for the Executive category, and 180 for the Non-executive category. However, the petitioner had scored merely 142 marks. Therefore, she was far below the cut-off marks for both these categories. Hence, the respondent No.2 is justified in not selecting the petitioner for the post.

Heard the learned counsel for the parties and perused the impugned order.

A bare perusal of the impugned order clearly reveals that the learned Tribunal has noticed the fact that according to the notification, there were only two sets of categories, namely Executive and Non-executive. The learned Tribunal has also noticed the fact that for the Executive category, in the handicapped quota for women, the cut-off marks were 205, and for the Non-executive category, the cut-off marks were 180, whereas the petitioner had scored merely 142 marks. Thus, the petitioner was way below the cut-off marks for the said category.

The learned Tribunal has also considered the case of the petitioner *qua* the reservation category of B.C-B (women). But, even in the said category, for the Executive category, the cut-off marks were 311 and for the Non-executive category, the cut-off marks were 274. Thus, even for the said category, the petitioner was way too below the cut-off marks, as she has scored merely 142 marks. Therefore, the learned Tribunal is legally justified in dismissing the original application filed by the petitioner.

For the reasons stated above, this Court does not find any merit in the present writ petition; it is hereby dismissed. There shall be no order as to costs.

The miscellaneous petitions pending, if any, shall stand closed.

RAGHVENDRA SINGH CHAUHAN, CJ

A. ABHISHEK REDDY, J

28th August, 2019
JSU

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