

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

**WRIT PETITION Nos.47075, 47914, 47967 and
48165 of 2018 and W.P.No.8 of 2019**

COMMON ORDER :

Since the issue raised in all these writ petitions is one and the same, they are heard together and being disposed of by way of a common order.

The petitioners in all these writ petitions are challenging the Recruitment Notification No.2560/CPR & RE/B2/2017, dated 31.08.2018 to the posts of Junior Panchayat Secretary, Grade-IV, issued by the respondents on the ground that the said Notification is issued in utter violation of the terms and conditions in G.O.Ms.No.145 Social Welfare (GCC.1) Department, dated 29.12.2001. The petitioners contend that though all the posts of Junior Panchayat Secretaries, Grade-IV in the Scheduled areas are to be filled up with local Scheduled Tribe candidates only, in the said Notification, there is no such stipulation of filling up of the vacancies in the Scheduled areas with local Scheduled Tribe candidates only.

Learned counsel appearing for the petitioners in all these writ petitions had contended that the Governor of Andhra Pradesh, in exercise of his powers in sub-para 1 to para-5 of Schedule-V to the Constitution of India, had issued G.O.Ms.No.145, dated 29.12.2001 to the effect that all the posts

of Junior Panchayat Secretaries, Grade-IV of the Gram Panchayats in the Scheduled areas be filled with the local Scheduled Tribe candidates only. Since the Notification for filling up the vacancies of Junior Panchayat Secretaries, Grade-IV was issued without giving any reservation to the local Scheduled Tribe candidates, the same is contrary to law and violative of the terms and conditions of the G.O.Ms.No.145, dated 29.12.2001.

The learned Special Government Pleader appearing for the respondents, on instructions, has filed a Memo dated 12.02.2019 before this Court and submitted that all the vacancies of Junior Panchayat Secretaries, Grade-IV in the Scheduled areas will be filled up with the local Scheduled Tribe candidates only strictly in terms of G.O.Ms.No.145, dated 29.12.2001 and the Government has decided to fill up all the vacancies of Junior Panchayat Secretaries, Grade-IV by regularising the services of eligible Junior Panchayat Secretaries, being appointed now in pursuance of the Notification dated 31.08.2018 with the local Scheduled Tribe candidates only and, if there are any unfilled notified vacancies on account of non-availability of local Scheduled Tribe candidates for being appointed as Junior Panchayat Secretaries, Grade-IV in the Gram Panchayats, the Government will fill up those unfilled vacancies by way of a Special Drive in future.

This Court, having considered the rival submissions of the learned counsel for the respective parties, is of the considered view that these writ petitions can be disposed of in terms of the aforesaid Memo dated 12.02.2019 and the submissions made by the learned Special Government Pleader that the State Government has resolved the issue raised in these writ petitions with a decision to fill up all the vacancies of Junior Panchayat Secretaries, Grade-IV in the Gram Panchayats located in Scheduled areas with the local Scheduled Tribe candidates only strictly in terms of G.O.Ms.No.145, dated 29.12.2001 and with a further decision to fill up the unfilled vacancies of Junior Panchayat Secretaries, Grade-IV in the Gram Panchayats located in Scheduled areas with the local Scheduled Tribe candidates only by way of a Special Drive.

With the above observations, these writ petitions are disposed of. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, in these writ petitions shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

13.02.2019.
Msr

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13.02.2019

Msr