

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.48063 of 2018

ORDER:

This writ petition is filed seeking a Writ of Mandamus declaring the action of the respondent No.2 in not correcting the gender name of the petitioner as 'Female' in the results published for the post of Junior Panchayat Secretary in spite of her online application for correction of Gender, as illegal, void and opposed to Articles 14, 19, 21 of Constitution of India, including issuing the provisional selection list dated 18.12.2018 by the respondent-No.3 District Collector by showing the third party Hall Ticket No.3233180 in the category of BC-A Female Category, at Serial No.6 and consequently to direct the respondent No.2 to correct the petitioner's gender name as 'Female' and further direct the District Collector to remove the name of the Hall Ticket No.3233180 of the third party in the category of BC-A Female, at Serial No.6 and give appointment to the petitioner as Junior Panchayat Secretary and pay consequential monetary benefits.

Heard Sri Srinivas Kudumula, learned counsel for the petitioner and learned Government Pleader for Services-II.

It has been contended by the petitioner that responding to the notification of the respondent No.2, the petitioner submitted her application through net center online on 9.5.2018. In the said application, the data entry operator by oversight mentioned her gender as male. In spite of her application for correction of gender as 'Female', the respondent No.2 had not corrected the same and released the results. She got 70.75 marks, whereas the third party got 70.25 marks. As her gender was shown wrongly

as Male, the respondent No.3 has not shown her name in the selection list earmarked for BC-A Female, though she is the meritorious candidate than the third party. Because of the error crept in with regard to mentioning of gender as 'Male', her case could not be considered for appointment to the post of Panchayat Secretary.

Learned counsel appearing for the petitioner submitted that the petitioner had submitted a representation to the respondent No.3 on 19.12.2018 ventilating her grievance and requesting the respondents to correct her gender as 'Female' instead of 'Male' and accordingly, consider her case for appointment to the post of Junior Panchayat Secretary.

Learned Government Pleader appearing for the respondents contended that the representation of the petitioner will be considered and appropriate orders will be passed on the same, in accordance with law.

This Court, having considered the rival submissions of the parties is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation of the petitioner dated 19.12.2018 and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With these observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

2nd January, 2019

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NOTE:Issue CC tomorrow

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Date: 02/01/2019

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