

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRT PETITION No.1305 OF 2020

Dated:28.01.2020

Between:

D. Sunitha, D/o. Veerababu,
Aged about 33 years, R/o.H.No.5-79/4EL,
ROI Nivas, Aditya Nagar,
Gurramguda, Hyderabad

.. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary, Medical and
Health Department, Secretariat
Buildings, Hyderabad and another

.. Respondents



This Court made the following:

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Medical, Health and Family Welfare for respondents 1 and 2.

2. On 27.07.2018, Recruitment Notification No.20 of 2018 was issued to fill up 50 vacancies of Health Assistants. Petitioner responded to the said notification and participated in the selections conducted by the Telangana State Public Service Commission. Petitioner was short-listed, but on verification of her eligibility, she was not selected on the ground that she does not have the requisite qualification prescribed in the recruitment rules as notified in the notification, dated 27.07.2018.

3. According to recruitment notification, a candidate aspiring for selection as Health Assistant must have passed Intermediate with Biological Science or 10 + 2 equivalent standard with Biological Science as one of the subjects and a pass certificate in Multi Purpose Health Assistant Training Course or Sanitary Inspector Training Course certificate awarded by the Chairman, Board of Examinations constituted by the Government of Telangana or from the Government of India/Government of Telangana Recognized Institution.

4. It is not in dispute that the petitioner possessed Intermediate with Biological Science, passed B.Sc. Nursing Degree Course and completed M.Sc. in Psychology. Apparently,

petitioner does not have second limb of qualifications prescribed in the recruitment notification.

5. Learned counsel for the petitioner sought to contend that as the petitioner successfully prosecuted B.Sc. Nursing Course and obtained Degree in Nursing, she should be treated as qualified and eligible to be selected as Health Assistant. According to learned counsel, the course of study that leads to awarding a Degree in Nursing Course has all the components of course of study leading to awarding certificate in Multi Purpose Health Assistant Training Course, which is a Diploma Course of two years duration, i.e., 10 + 2, and petitioner has higher qualification than what was prescribed in the recruitment notification. Therefore, petitioner could not have been ignored for selection.

6. As noticed above, the qualification prescribed requires pass certificate in Multi Purpose Health Assistant Training Course. Though petitioner may have higher qualification/a better qualification but, admittedly, she does not have the certificate in Multi Purpose Health Assistant Training Course, which is the requirement of the recruitment notification, and the rules governing the post. The recruitment notification does not recognize possessing B.Sc. Nursing Degree certificate as valid to determine the eligibility of a candidate. Further, it is not within the purview of the Court in exercise of power of judicial review to hold the degree possessed by the petitioner is higher qualification/sufficient to hold her as eligible. As petitioner does not have the educational qualifications prescribed in the

recruitment notification, the action of the respondents in not selecting the petitioner cannot held as illegal warranting interference by this Court.

7. The Writ Petition is accordingly dismissed. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:28.01.2020

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