

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 1446 of 2020

Date : 24.1.2020

Between:

K Swapna W/o M Venkata Narasimha Reddy
Aged 38 years Occ Govt Employee R/o H No 283
Veeravalli village Bhuvanagiri Mandal
Yadadri Bhuvanagiri District Telangana District

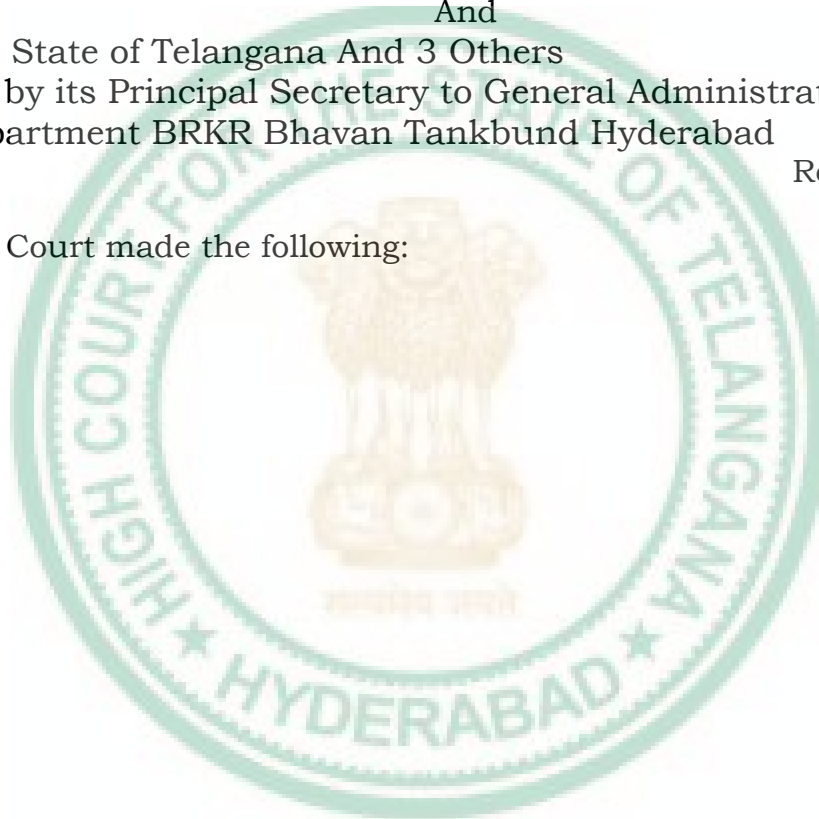
Petitioner

And

The State of Telangana And 3 Others
rep by its Principal Secretary to General Administration
Department BRKR Bhavan Tankbund Hyderabad

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned standing counsel for Telangana State Public Service Commission (for short TSPSC).

2. TSPSC issued notification No. 10 of 2019 dated 31.12.2019 calling for applications to fill up the post of Food Safety Officer. The notification prescribes the age limit for eligibility as 18 to 34 years. Petitioner challenge prescribing 34 years as maximum age on the ground that same is not valid in view of the decision of the Government extending the maximum age from 34 years to 44 years vide Adhoc Rules notified in G.O.Ms No. 329 General Administration (Services-A) Department dated 27.7.2015. Learned counsel for petitioner submits that as subject notification is first notification issued to fill up the post of Food Safety Officer after formation of State of Telangana, in view of G.O. Ms No. 329 dated 27.7.2015 the maximum age should be 44 years and prescribing the maximum age as 34 years is illegal.

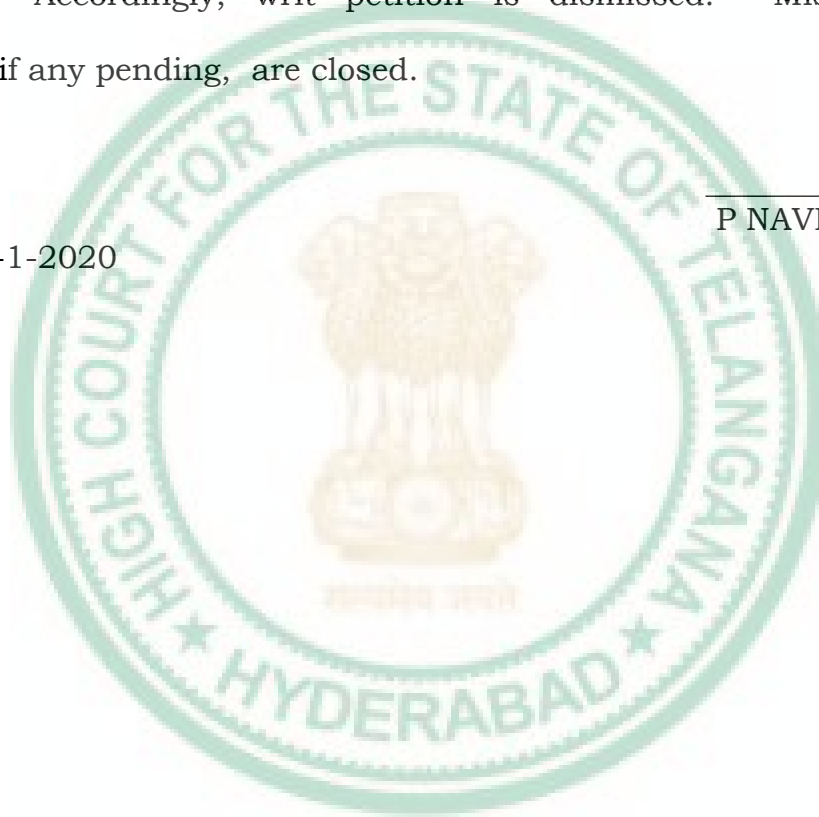
3. It is not in dispute that according to service rules governing the post of Food Safety Officer, maximum age of eligibility to participate in the recruitment is 34 years. The Adhoc Rules are special rules dealing with maximum age of eligibility notified vide G.O.Ms No. 329 dated 27.7.2015 extending the maximum age to 44 years. In supercession of the earlier Adhoc Rules, Government notified Adhoc Rules vide G.O.Ms No. 190 General Administration (Service. A) Department dated 8.8.2017, whereby extension of age of eligibility as 44 years is restricted to the recruitment process initiated up to 26.7.2019. No other Adhoc Rules are

placed before this Court issued subsequent to 8.8.2017 extending the maximum age of eligibility beyond 34 years. In view thereof, after 26.7.2019 the age of eligibility as prescribed in Special Rules governing the post of Food Safety Officer alone would apply and in terms thereof the maximum age of 34 years prescribed in the recruitment notification cannot be said as illegal. Since, petitioner crossed maximum age of 34 years, he cannot be permitted to participate in the selections.

4. Accordingly, writ petition is dismissed. Miscellaneous petitions, if any pending, are closed.

DATE: 24-1-2020
TVK

P NAVEEN RAO,J



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