

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.13328 OF 2020

Date:20.08.2020

Between:

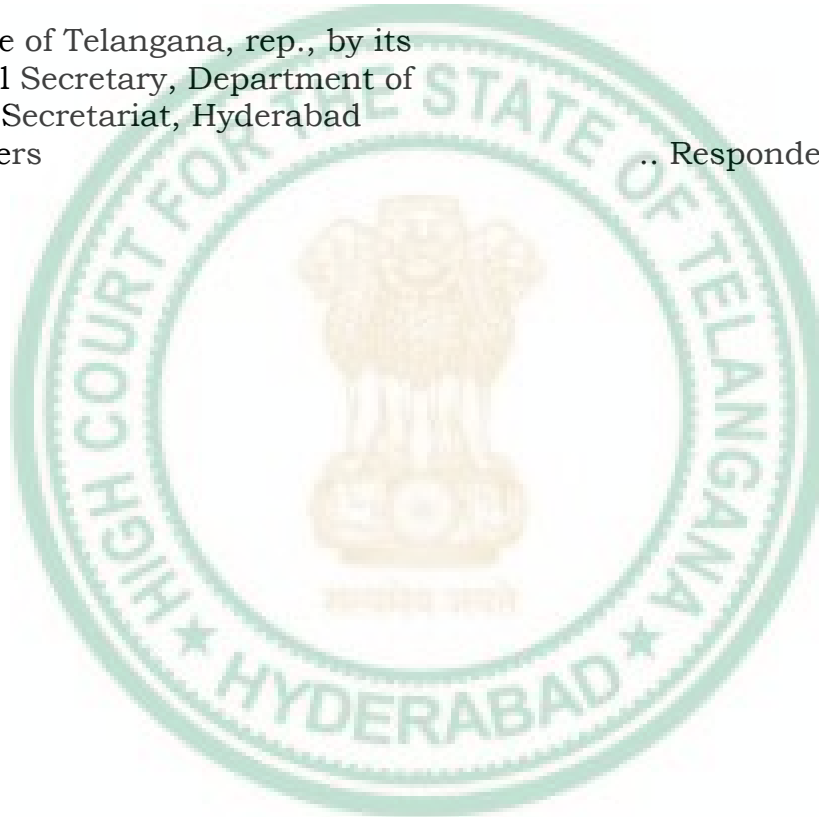
Katuka Sreenu, S/o. Nagaiah,
Aged 32 years, Occ: Artisan Grade II,
TSSPDCL Operation Section,
Talakondapally, R/o.H.No.1-120/15,
Peddapur Vilalge, Veldanda Mandal,
Nagarkurnool District

.. Petitioner

And

The state of Telangana, rep., by its
Principal Secretary, Department of
Energy, Secretariat, Hyderabad
And others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.13328 OF 2020****ORDER:**

Heard learned counsel for the petitioner and learned Standing Counsel for the respondents.

2. Petitioner was originally appointed on contract basis. Subsequently, he was absorbed as Artisan Grade-II and working in the said post. In response to the Recruitment Notification No.1 of 2019, dated 28.09.2019, for recruitment to the post of Junior Lineman, petitioner applied and participated with Hall Ticket No.136697 in the selections conducted by the respondent – Company, secured 24 marks and was assigned 52 rank. Petitioner claims that he belongs to Nagarkurnool District and he completed his education from 1st class to 7th class in Veldanda Mandal which forms part of Nagarkurnool District. But, in the application form, by mistake he mentioned as Mahabubnagar District and though he applied for posts in Nagarkurnool District, he was treated as non-local of Nagarkurnool District. Petitioner realized the mistake only when the final merit list was published and when he is shown as non-local for consideration in Nagarkurnool District.

3. According to learned counsel for the petitioner, petitioner studied 1st class to 7th class in Veldanda Mandal, which forms part of Nagarkurnool District. Therefore, treating the petitioner as non-local of Nagarkurnool District is illegal and arbitrary.

4. Learned senior counsel opposed the said claim by contending that in the application form submitted by the petitioner, he has disclosed his school education details as prosecuted in

Mahabubnagar District and therefore he is treated as local candidate of Mahabubnagar District. He further submits that after entering school education details, against the column 'Circle/District Name', petitioner entered the district name as Nagarkurnool. When such entry was made, computer generates the question 'whether he should be considered against 5% quota vacancies in Nagarkurnool District'. Against this question, petitioner entered 'Yes'. Petitioner was subjected to selection based on his declaration only. At no point of time, petitioner sought for rectification of the entry even though opportunity was afforded to the candidates. Thus, at this juncture, when selection was already finalized, merit list was drawn, petitioner cannot be considered as local candidate of Nagarkurnool District since it would affect the entire selection process and re-drawing of merit list.

5. At page No.27 of the material papers of writ petition, photocopy of application submitted by the petitioner is enclosed. In the said application, against the school education details, district was entered as Mahabubnagar. He has disclosed prosecution of his education from 1st class to 7th class in Mahabubnagar District. Above this column, against education details in the column against 'local district you belong', petitioner has entered as Mahabubnagar District and against the column 'Circle/District Name', he mentioned as Nagarkurnool and agreed to consider him against 5% vacancies only.

6. Further, at no point of time before results were announced, petitioner sought for rectification of declaration given by him, assuming that under the mistaken impression said declaration was given. Petitioner kept quiet for the entire selection process to be

completed and only for the first time on 29.07.2020, he made representation claiming that he should be considered as local candidate in Nagarkurnool District.

7. Since selections are already finalized and merit list is published, at this stage, if the request of the petitioner is accepted, it would amount to re-drawing the merit list, may have cascading effect and may result in deleting the name of another candidate to accommodate the petitioner. Thus, the relief granted to the petitioner would have impact on employment opportunity of others. Therefore, even assuming that there is *bona fide* mistake and equitable relief can be granted to the petitioner, granting of said relief to the petitioner would result in more severe consequences.

8. More so, on account of declaration of merit list and inclusion of name of another person, right to secure employment has crystallized in that person and any direction issued to re-draw the merit list to include the name of petitioner will take away the right accrued to that person and may have a cascading effect. Therefore, relief sought for by the petitioner cannot be granted at this stage.

9. The writ petition is accordingly dismissed. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

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