

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.Nos.23404 of 2019, 24137 of 2019 & 15129 of 2020 & 15130 of 2020

COMMON ORDER:

All these Writ Petitions are being disposed of by way of Common Order since the issue raised in all these Writ Petitions is one and the same

2. For the sake of convenience, the facts are narrated as mentioned in W.P.No.15929 of 2020.

3. Challenging the action of the respondents in not considering the case of the petitioners for the appointment to the post of Secondary Grade Teacher (Telugu Medium) having selected them provisionally as per their merit in the writ examination held on 25-02-2018 in pursuance of recruitment notification No.53 of 2017 dt.21-10-2017, but keeping the selection of the petitioners in withheld, the petitioners have filed these present Writ Petitions.

4. Heard Sri Ch.Ravinder, learned counsel for the petitioners and the learned Standing Counsel for Telangana State Public Service Commission (TSPSC) appearing for the respondents.

5. The petitioners contend that they are fully eligible and qualified for the post of Secondary Grade Teacher (Telugu Medium) and the respondent-TSPSC has issued recruitment Notification No.53 of 2017 for the post of Secondary Grade Teachers. They further contend that the written examination was conducted on

25-02-2018 and the petitioners have applied for the said post and appeared for the written examination. They further contend that the respondents have published selection list on 04-04-2019 and that the names of the petitioners were figured in the selection list. However, some of the unsuccessful candidates have challenged the said selection by way of filing Writ Petition and finally that litigation was ended in the form of Writ Appeal No.419 of 2019, wherein the Division Bench of this Court was pleased to set aside the selection list vide orders dt.30-08-2019 by directing the respondents therein to sort relinquishment from the selected candidates and later finalize the selection. Thereafter, some of the unsuccessful candidates have filed W.P.Nos.23785 of 2018 and 38877 of 2018 and this Court was pleased to grant interim direction in W.P.No.23785 of 2018 directing the respondents not to fill up 22 posts and in W.P.No.38877 of 2018 also directed the respondents not to fill up four posts.

6. Learned counsel for the petitioners contends that in the above two Writ Petitions, interim orders were granted for four weeks and subsequently those interim orders were not extended, which would mean that though there are directions from this Court not to fill up 26 posts (22 + 4), after expiry of four weeks from the date of granting of interim orders, the respondents have finalized by revising the selection list dt.11-10-2019 and in the said list and 26 posts were not filled up pursuant to the orders of this Court in the above said Writ Petitions. Therefore, he contends that though the interim orders

were not extended beyond four weeks, the respondents are not filling up 26 posts even though the petitioners are coming within the zone of consideration. Therefore, he contends that appropriate orders be passed in the Writ Petition directing the respondents to consider the cases of the petitioners for appointment to the posts of Secondary Grade Teachers (Telugu Medium) by duly taking into account the merit that has been secured by the petitioners in the unfilled 26 posts and pass appropriate orders in accordance with law.

7. Learned Standing Counsel for 2nd respondent-TSPSC appearing for the respondents has not disputed the said facts and contended that the interim orders granted by this Court in W.P.Nos.23785 of 2018 dt.06-11-2018 and in W.P.No.38877 of 2018 dt.30-10-2018 were not extended beyond four weeks and as on today, there are no stay orders. Therefore, the cases of the petitioners can be considered, however, subject to the result of the outcome of the Writ Petitions which are pending consideration.

8. Having regard to the rival submissions made by the parties, this Court is of the considered view that these Writ Petitions can be disposed of by directing the 2nd respondent-TSPSC to consider the cases of the petitioners for appointment to the post of Secondary Grade Teacher (Telugu Medium) in the unfilled vacancies by taking into account the merits obtained by the petitioners, within a reasonable time, preferably, within a period of six weeks from the date of receipt of a copy of this order. However, the appointment

of the petitioners to the said post will be subject to the outcome of W.P.Nos.23785 of 2018 and 38877 of 2018.

9. With these observations, all the Writ Petitions are disposed of. No costs.

10. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 29-09-2019
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