HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO: 22180 OF 2020

Between:

Smt. Barla Anjamma, W/o. J. Suresh Kumar, Aged about. 35 years, R/o Nagayapalli (V), Marripalli Post, Vemulavada (M), Rajanna Sircilla District, Telangana.

..PETITIONER

AND

1. State of Telangana, Represented by its Chief Secretary, GAD, Secretariat Buildings, Saifabad, Hyderabad.
2. Telangana State Public Service Commission, Nampally, Hyderabad, Rep.by its Secretary.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ more in the nature of a Writ of Mandamus declaring of the action of the Respondent No 2 in not issuing Appointment orders to the Petitioner for the post of Librarian (Junior College) in terms of her performance in both written and oral examination Under Notification No. 28/2017 with Hall Ticket No. 1728000093 as being arbitrary, illegal, violating Articles 14, 16 and 21 of the Constitution of India and consequently direct the 2nd Respondent to forth with issue Appointment orders to the Petitioner for the post of Librarian (Junior Colleges) as per the selected list published by the Commission and issue

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 2nd Respondent to forth with issue appointment orders to the Petitioner as Librarian (Junior College) in terms of her performance in the written test/interviews under Notification of 28/2017 vide Hall Ticket No. 1728000093 for the Post of Librarian

Counsel for the Petitioner: SRI CH SAMSON BABU

Counsel for Respondent No. 1: GP FOR GENERAL ADMINISTRATION

Counsel for Respondent No. 2: SRI D. BALAKISHAN RAO, SC FOR TSPSC

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.22180 of 2020

ORDER:

This writ petition is being disposed of at the admission stage with the consent of both parties.

This writ petition is filed seeking the following relief:

> ".....to issue an appropriate Writ, more in the nature of a Writ of Mandamus declaring of the action of the Respondent No.2 in not issuing Appointment orders to the petitioner for the post of Librarian (Junior College) in terms of her performance in both written and oral examination Under Notification No.28/2017 with Hall Ticket No.1728000093 as being arbitrary, illegal, violating Articles 14, 16 and 21 of the Constitution of India and consequently direct the 2nd Respondent to forthwith issue appointment orders to the petitioner for the post of Librarian (Junior Colleges) as per the selected list published by the Commission ....."

Heard Sri Ch.Samson Babu, learned counsel appearing for the petitioner and Sri D.Balakishan Rao, learned Standing Counsel appearing for the Telangana State Public Service Commission.

It has been contended by the petitioner that she is fully eligible and qualified to be appointed as a Librarian and pursuant to the Notification dated 02.06.2017 issued by the respondents, she being a member belonging to scheduled caste community, responded to the said Notification and she has fared decently well in the selection process and secured decent marks.

The grievance of the petitioner is that though she was provisionally selected for the post of Librarian, the respondents are not considering her case for appointment to the post of Librarian on

the ground that W.P.No.46010 of 2018 filed by one Ms.B.Mamatha is pending before this Court.

Learned counsel appearing for the petitioner had contended that insofar as W.P.No.46010 of 2018 is concerned, the petitioner therein has acquired the requisite qualification after issuance of Notification and, therefore, she is not eligible. But, however, this Court was pleased to grant interim order on 18.12.2018 directing the petitioner therein to attend for the interview. However, in the present case, only on the ground that the above writ petition is pending, the case of the petitioner herein is not being considered. Therefore, appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for appointment to the post of Librarian in Junior Colleges without reference to the pendency of W.P.No.46010 of 2018, as there is no direction in the said writ petition with regard to filling up the post of Librarian in the Junior Colleges.

Learned Standing Counsel appearing for the Public Service Commission had contended that the petitioner herein is eligible to be considered for appointment to the post of Librarian in the Junior Colleges and just because, W.P.No.46010 of 2018 is pending, the respondents are not in a position to consider the case of the petitioner herein for appointment to the post of Librarian in Junior Colleges.

This Court, having considered the rival submissions made by the parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the case of the petitioner for appointment to the post of Librarian in the Junior

Colleges without reference to the pendency of W.P.No.46010 of 2018 before this Court and pass appropriate orders in accordance with law, within a reasonable period, preferably within a period of eight weeks from the date of receipt of a copy of this order.

With the above observations, this writ petition is disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

SD/-K.AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chief Secretary, GAD, State of Telangana Secretariat Buildings, Saifabad, Hyderabad.
2. The Secretary, Telangana State Public Service Commission, Nampally, Hyderabad.
3. One CC to Sri Ch Samson Babu Advocate [OPUC]
4. Two CCs to GP For General Administration, High Court for the State of Telangana. [OUT]
5. One CC to Sri D. Bala Kishan Rao, SC for TSPSC (OPUC)
6. Two CD Copies

MBC

HIGH COURT

DATED: 30/12/2020



ORDER

WP.No.22180 of 2020

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS.

(8) VLV
19/1/21