

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.26304 of 2019

ORDER

This writ petition is filed seeking the following relief:

“to issue a writ, order, orders or directions more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in not calling the petitioner for certificate verification for the post of Second Grade Teacher for Kannada Medium under Open competition under 20% open O.C General quota for unreserved posts in Mahabubnagar, Medak and Hyderabad Districts pursuant to the Notification No.53/2017, dated 21.10.2017 issued by the 2nd respondent though she is fully eligible and qualified in all aspects with 8th rank by securing 49.533 marks and not appointing her to the said post as being arbitrary, illegal, unjust and violation of principles of natural justice and violation of Articles 14, 16 and 21 of the Constitution of India and consequently hold that the petitioner is entitled to be selected and appointed to the post of Secondary Grade Teacher in Kannada Medium under 20% quota meant for open competition with all consequential benefits and to pass such order or orders as deem fit and proper in the interest of justice.”

Heard Sri B.Ramulu, learned counsel for the petitioner, and Sri D.Balakishan Rao, learned Standing Counsel appearing for the 2nd respondent.

It is the case of the petitioner that she is a native of Mahabubnagar District. But due to her education, her family shifted to Karnataka State and she studied there. Since she is a native of Mahabubnagar, she is entitled to be considered for appointment to the post of Secondary Grade Teacher

(Kannada Medium) in the un-reserved quota meant for non-local. But the respondents have not considered her case under un-reserved quota.

Learned counsel for the petitioner contended that the respondents ought to have considered the case of the petitioner under un-reserved quota where local and non-local can compete. The case of the petitioner has to be considered under un-reserved quota as per the presidential order. It is prayed that appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for appointment to the post of Secondary Grade Teacher (Kannada Medium).

Learned Standing Counsel appearing for the 2nd respondent contended that the case of the petitioner would be considered to see whether she is coming within the zone of consideration in the un-reserved quota and appropriate orders would be passed accordingly.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that the writ petition can be disposed of directing the respondents to consider the case of the petitioner for appointment to the post of Secondary Grade Teacher (Kannada Medium) meant for un-reserved quota, if she comes within the zone of

consideration and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, pending, if any, shall stand closed. No orders as to costs.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 02.01.2020

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