

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
TUESDAY, THE SIXTEENTH DAY OF FEBRUARY TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE P NAVEEN RAO

IA No. 1 OF 2021

IN

WP NO: 3290 OF 2021

Between:

1. P.Sreedhar, S/o. Janardhan
2. V.Srinivas, S/o. Ramulu
3. K.Krishna Reddy, S/o. Narsimha Reddy
4. R.Bugga Ramulu, S/o. Chandraiah
5. S.Satyanarayana, S/o. Narsimha

...Petitioners
(Petitioners in WP.No.3290 OF 2021
on the file of High Court)

AND

1. The District Educational Officer, Rangareddy District.
2. The Regional Joint Director, of School Education, Hyderabad.
3. The Commissioner and Director of School, Education, Government of Telangana, at Hyderabad.
4. The State of Telangana, rep., by its Principal Secretary, Finance Department, Secretariat, Hyderabad.

...Respondent(s)
(Respondents in-do-)

Counsel for the Petitioners : Mr. M. RAMGOPAL RAO

Counsel for the Respondent Nos.1 to 3 : GP FOR EDUCATION

Counsel for the Respondent No.4 : GP FOR FINANCE & PLANNING

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents to consider the claim of the petitioners for promotion to the post of Gazetted Headmaster Grade-II in the ensuing promotion counselling as per their merit-cum-seniority by disposing of their objections dt: 18/01/2021 and 06/02/2021 regarding SC/STs adequacy and proper, pending disposal of WP.No.3290 of 2021, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following.
(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

According to petitioners, they are the senior most School Assistants eligible for promotion as Head Masters. They apprehend that in spite of their seniority and eligibility, they are sought to be ignored and far juniors to them are under consideration by continuously applying the principle of reservation in promotions contrary to the Government Policy in applying reservations in promotions i.e., adequacy principle.

According to petitioners, in Ranga Reddy District, the adequacy principle was already achieved as more number of scheduled caste/scheduled tribe candidates are working in the cadre of Head Master than the reservation earmarked to them and therefore the principle of reservation in promotions is no more applicable and only seniority in the lower cadre is required to be followed.

Having come to know that the respondents are undertaking such exercise and have also published the provisional seniority list indicating their approach in this regard, petitioners have submitted their representations individually to the District Educational Officer and to the Regional Joint Director, School Education, requesting them to consider the issue of adopting the principle of adequacy in promotions to the extent of reservation for the scheduled caste/scheduled tribe candidates and to take appropriate decision. Petitioners allege that no decision is taken on their applications, but the respondents are in the process of making promotions.

Learned Assistant Government Pleader submits that the seniority list notified earlier is now withdrawn and the respondent authorities are waiting for the orders of the Government on various aspects and there is no likelihood of promotions being taken up immediately.

Pending consideration of the writ petition, the Regional Joint Director of School Education, Hyderabad, and the District Educational Officer, Ranga Reddy District, are directed to examine the claim of the petitioners as ventilated in their representations dated 18.01.2021 and take appropriate decision as expeditiously as possible at any rate before effecting promotions.

SD/- N. CHANDRASEKHARA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

KJK
SECTION OFFICER

To,

1. The District Educational Officer, Rangareddy District.
2. The Regional Joint Director, of School Education, Hyderabad.
3. The Commissioner and Director of School, Education, Government of Telangana, at Hyderabad.
4. The Principal Secretary, Finance Department, State of Telangana, Secretariat, Hyderabad (RR 1 to 4 By RPAD).
5. One CC to Mr. M. RAMGOPAL RAO, Advocate [OPUC].
6. Two CCs to GP FOR EDUCATION, High Court for the State of Telangana at Hyderabad [OUT].
7. Two CCs to GP FOR FINANCE & PLANNING, High Court for the State of Telangana at Hyderabad [OUT].
8. One spare copy
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PNRJ

ORDER



DIRECTION