

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

(Special Original Jurisdiction)

FRIDAY, THE SIXTH DAY OF JANUARY

TWO THOUSAND AND TWENTY THREE

PRESENT

**THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI
AND**

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 29730 OF 2014

Between:

1. The Government of Andhra Pradesh, rep. by its Principal Secretary to Govt., School Education Department, A.P., Secretariat, Hyderabad.
2. The Commissioner and Director of School Education, A.P., Hyderabad.
3. The Director of Government Examinations, A.P., Near Nampally, Hyderabad.

**...PETITIONERS/RESPONDENTS IN O.A.No.2/2014
AND**

1. G. Vijaya Lakshmi, D/o. G.V.Subba Rao, Working as Superintendent, O/o. The Director of Government Examinations, A.P., Hyderabad, R/o. Mothinagar, Hyderabad.

...RESPONDENT/APPLICANT IN O.A.No.2/2014

2. The A.P. Administrative Tribunal rep., by its Registrar, Purani Haveli, Hyderabad.

...RESPONDENT

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, order or direction more particularly one in the nature of WRIT OF CERTIORARI and call for the records relating to and connected with order dated.02-01-2014 in OA.No.2 of 2014 on the file of the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad, and to quash or set aside the same by holding as erroneous and contrary to law.

I.A. NO: 1 OF 2014(WPMP. NO: 37110 OF 2014)

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 suspend the operation of orders dated 02-01-2014 in O.A. NO. 02 of 2014 on the file of the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad, pending disposal of the writ petition.

I.A. NO: 2 OF 2014(WPMP. NO: 42607 OF 2014)

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 set aside the orders passed by this Hon'ble Court on 7-10-2014 in WP No. 29790 of 2014 in petitioners absence without giving an opportunity to him and to decide the matter on merits.

Counsel for the Petitioners: GP FOR SERVICES I

Counsel for the Respondent No.1: M/s. K.MALLESHWARI

Counsel for the Respondent No.2: --

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

AND

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

Writ Petition No.29730 of 2014

ORDER: *(Per Hon'ble Sri Justice Abhinand Kumar Shavili)*

This Writ Petition is filed by the petitioners under Article 226 of the Constitution of India seeking a *Writ of Certiorari* by calling for the records relating to and connected with order dated 02.01.2014 passed in O.A.No.2 of 2014 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad (for short, 'the Tribunal'), and to quash or set aside by holding the same as erroneous and contrary to law.

2. Heard the learned Special Government Pleader for Services for the State of Andhra Pradesh, for the petitioners. None appeared for the 1st respondent.

3. Learned Special Government Pleader for the petitioners contended that the 1st respondent was working as Superintendent and she was seeking promotion to the post of Assistant Commissioner for Government Examinations in Head Office, Hyderabad for the panel year 2013-14; later, the 1st

respondent approached the Tribunal by filing O.A.No.2 of 2014; the Tribunal, vide order dated 02.01.2014, was pleased to dispose of the O.A. by directing the petitioners to consider the case of 1st respondent for promotion to the post of Assistant Commissioner for Government Examinations in Head Office, at Hyderabad for the panel year 2013-14 as per her eligibility and qualification by placing the name of 1st respondent in the D.P.C., without appreciating any of the contentions raised by the petitioners; and therefore, prayed this Court to pass appropriate orders in the Writ Petition by setting aside the order passed by the Tribunal in O.A.No.2 of 2014, dated 02.01.2014, and allow the Writ Petition.

4. This Court, having considered the said submission, is of the considered view that the Tribunal had merely directed the petitioners to consider the case of 1st respondent, if she is otherwise eligible. Therefore, this Court is not inclined to interfere with the order passed by the Tribunal in O.A.No.2 of 2014, dated 02.01.2014. Accordingly, the Writ Petition is dismissed. No costs.

5. It is needless to say that petitioners shall consider the case of the 1st respondent, if she is otherwise eligible for promotion as per the Rules.

6. As a sequel, miscellaneous applications pending if any in this Writ Petition, shall stand closed.

//TRUE COPY//

SD/- K. AMMAJI
ASSISTANT REGISTRAR
SECTION OFFICER

To

1. Two CCs to GP FOR SERVICES I, High Court for the State of Telangana, at Hyderabad. [OUT]
2. One CC to SRI K.MALLESHWARI, Advocate [OPUC]
3. Two CD Copies

PSK.
GJP

B&R

HIGH COURT

DATED:06/01/2023

ORDER

WP.No.29730 of 2014



DISMISSING THE WRIT PETITION
WITHOUT COSTS.

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22/01/23
BSR