

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI
AND
HON'BLE SRI JUSTICE PULLA KARTHIK**

W.P.No.26208 OF 2016

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

Aggrieved by the order dated 22.07.2015 passed in O.A.No.4271 of 2015 by the Andhra Pradesh Administrative Tribunal, Hyderabad, the present writ petition is filed.

2. Heard Sri Y.Ashok Raj, learned counsel appearing for the petitioner, learned Government Pleader for Services-I appearing for respondent Nos.1, 2, 3 and 5 and Sri G.Narender Reddy, learned Standing Counsel appearing for the 4th respondent.

3. It is the case of the petitioner that she is the wife of Ex-Service man and the State Government has taken a policy decision *vide* G.O.Ms.No.929, dated 29.05.1971 to provide appointment to the wives of Ex-Service men as Secondary Grade Teacher in rural areas. In pursuance of the said G.O, she submitted an application on 19.02.1999, but the respondents have not considered the said application. Thereafter, she has secured employment as Secondary Grade Teacher in the year 2002 pursuant to the DSC notification

issued in the year 2001. The grievance of the petitioner is that in terms of the policy of the State Government vide G.O.Ms.No.929, dated 29.05.1971, she is entitled to be appointed as Secondary Grade Teacher from 1999 itself. Hence, she approached the Tribunal by filing O.A.No.4271 of 2015 and without appreciating any of the contentions raised by her, the Tribunal *vide* order dated 22.07.2015 dismissed the said O.A. Hence, the writ petition.

4. Learned counsel appearing for the petitioner had contended that appropriate orders be passed in the writ petition by directing the respondents to consider the case of the petitioner for appointment as Secondary Grade Teacher with effect from 1999 itself in terms of the policy of the State Government *vide* G.O.Ms.No.929, dated 29.05.1971.

5. Learned Government Pleader for Services-I appearing for the respondents had contended that the case of the petitioner was considered and rejected *vide* Memo dated 23.07.2004. Therefore,

the Tribunal was justified in dismissing the O.A. There are no merits in the writ petition and the same is liable to be dismissed.

6. Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that no doubt, the respondents have considered the case of the petitioner and rejected vide Memo dated 23.07.2004. A perusal of the said rejection Memo discloses that no reasons were assigned for rejecting the case of the petitioner in terms of the policy of the State Government *vide* G.O.Ms.No.929, dated 29.05.1971. The Tribunal ought to have set aside the rejection Memo dated 23.07.2004. Admittedly, no reasons were assigned in the said memo in not considering the case of the petitioner. Therefore, this Court is of the view that the case of the petitioner can be considered in terms of the policy of the State Government *vide* G.O.Ms.No.929, dated 29.05.1971.

7. Accordingly, the Writ Petition is disposed of directing the petitioner to submit a fresh representation seeking appointment as Secondary Grade Teacher with effect from 1999 instead of 2002

within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents shall consider the same in terms of the policy of the State Government *vide* G.O.Ms.No.929, dated 29.05.1971 and pass appropriate orders in accordance with law. No costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

JUSTICE PULLA KARTHIK

Date: 14-02-2023.
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