APHC010197052019

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3396]**
(Special Original Jurisdiction)

THURSDAY ,THE SIXTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 8501/2019

Between:

R S Kumari **...PETITIONER**

AND

The State Of Ap and Others **...RESPONDENT(S)**

Counsel for the Petitioner:

1. KAMBHAMPATI RAMESH BABU

Counsel for the Respondent(S):

1. GP FOR SCHOOL EDUCATION (AP)

The Court made the following:

ORDER:

This Writ Petition is filed under Article 226 of Constitution of India with the following prayer:

> *".....to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the 4th respondent in conducting counseling for promotion to the post of Primary School Head Masters in the unit of Guntur District on 05.07.2019 without including petitioner's name in the seniority list in spite of petitioner's representation dated 23.06.2019 and in spite of petitioner's eligibility as illegal, irregular, contrary to the procedure established by law and against to the principles of natural justice apart from being violative of fundamental right guaranteed under Article 14 and 16 of the Constitution of India and consequentially direct the 4th respondent to consider*

petitioner's candidature for promotion to the post of Primary School Head Master in the interest of justice and pass other order or orders……"

2. Learned Assistant Government Pleader for Services-II, appearing for the respondents, would submit that in the light of the interim orders passed by this Court dated 04.07.2019 in I.A.No.1 of 2019, the respondent authorities have complied with the order. The petitioner was considered for promotion as Head Master. Learned Assistant Government Pleader, in support of their contentions, placed on record the orders passed by the respondent authorities along with entry in the service register of the individual. It is beneficial to extract the proceedings issued by the District Educational Officer, dated 31.07.2019, which reads as under:

"Under Rule 10 (a) of A.P. State & Sub-ordinate Service Rules 1996, read with the orders / instructions issued in the references 1st and 2nd read above the Secondary Grade Teachers working in Z.P. Management are hereby promoted as Primary School Head Master on purely adhoc basis and posted in the existing vacancy due to in-absentia to the promotion counseling on 30.07.2019 in the existing vacancy as detailed in the Annexure enclosed subject to outcome of OAs 2870,2671 and 2470 of 2018 pending in the APAT.

The promotion is purely temporary and liable for termination at any time without notice and without assigning any reason thereof for such termination.

They are not entitled for TTA and joining time as the postings orders are as per their option.

They are requested to join on relief in the new promotion post within 15 days from the date of order of promotion.

The concerned HM / MEO are requested to relieve the teacher noted above immediately with instructions to join in their new post.

The dates of relief and joining should be reported promptly.

Receipt of the proceedings should be acknowledged."

3. Learned counsel for the petitioner would submit that recording the above instructions, the petition may be disposed of.

4. In that view of the matter, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

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Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 06.03.2025
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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 8501/2019

Dt.06.03.2025

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