

**HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)**

**WEDNESDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

WRIT PETITION NO: 13675 OF 2025

Between:

Gantala Kavitha, D/o.Kalu, Aged 33 years, Pharmacist Grade II, PHC,
Vatawarlapally, Amarabad, Nagarkurnool District.

...PETITIONER

AND

1. The Director of Public Health & Family Welfare, State of Telangana, 2nd Floor,
DME Complex, Sultan Bazar, Koti, Hyderabad, Telangana.
2. The State of Telangana, Rep. by its Secretary to Government Health, Medical
& Family Welfare Department Secretariat Building, Hyderabad
3. Smt.Radha Bhai, Pharmacist Grade II, O/o.DM and HO, Mahabubnagar
District, Mahaboobnagar.

...RESPONDENTS

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 a writ, order, or direction, more particularly one in the nature of a writ of Mandamus under Article 226 of the Constitution of India, declaring the actions of the respondents, more particularly the 1st respondent, in promoting the Party Respondent as Pharmacist Grade I instead of promoting the petitioner as Pharmacist Grade I, as well as not seeking the service particulars of the petitioner for effecting promotion to the post of Pharmacist Grade I while seeking the service particulars of others by proceedings Rc.No.2201/E4-11-E/2022 dated 10.04.2025 issued by the 1st respondent, despite making representations dated

15.04.2025, as arbitrary, illegal, discriminatory, and unconstitutional, violating Articles 14, 16, and 21 of the Constitution of India, apart from being contrary to Rule 22 and 22-A of the State and Subordinate Service Rules and issue consequential directions directing the 1st respondent to forthwith consider and promote the petitioner to the post of Pharmacist Grade I in the existing vacancies by following the Rule of Reservation prescribed under Rule 22 and 22-A of the State and Subordinate Service Rules, considering her representation dated 15.04.2025, with effect from the date of promotion of the Party Respondent, with all consequential benefits including seniority.

IA NO: 1 OF 2025

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 direct the 1st respondent to forthwith consider and promote the petitioner to the post of Pharmacist Grade I in the existing vacancies by following the Rule of Reservation prescribed under Rule 22 and 22-A of the State and Subordinate Service Rules, considering the representation dated 15.04.2025, pending the final disposal of the Writ Petition.

Counsel for the Petitioner: SRI P. V. KRISHNAIAH

Counsel for the Respondents No.1 & 2: GP FOR SERVICES – I

Counsel for the Respondent No.3: --

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO**WRIT PETITION No.13675 OF 2025****ORDER:**

With the consent of both the parties, this Writ Petition is disposed of at the admission stage itself.

2. Heard Sri P.V. Krishnaiah, learned counsel for the petitioner, and learned Government Pleader for Services-I, appearing for respondent Nos.1 and 2. Perused the material on record.

3. The case of the petitioner is that she belongs to the Scheduled Tribe (ST) community and was appointed as a Pharmacist Grade II on 24.08.2014. Respondent No.3 was also appointed as a Pharmacist Grade II and she joined on 26.08.2014 who is the junior to the petitioner. The petitioner contends that under Rule 22 and 22-A of the Andhra Pradesh State and Subordinate Service Rules, reservation in promotions is applicable to SC/ST and women candidates. When the post of Pharmacist Grade I was earmarked for ST Women under the prescribed 100-point roster, respondent No.1. Instead of promoting the petitioner, promoted her junior, and the petitioner's case was not considered.

4. Subsequently, by proceedings in Rc.No.2201/E4-II-E/2022, dated 10.04.2025, respondent No.1 initiated steps to fill existing

vacancies to the post of Pharmacist Grade I in Zone VII, but again failed to include the petitioner's name, while including names of four open category candidates, despite the applicability of the rule of reservation. The petitioner made representations dated 16.02.2024 and 15.04.2025 respectively seeking promotion against the reserved vacancy, but no action has been taken. Aggrieved by the same, the petitioner has filed the present Writ Petition.

5. Learned counsel for the petitioner submits that appropriate orders be passed in this Writ Petition, directing the respondents to consider the representations submitted by the petitioner on 16.02.2024 and 15.04.2025 and to pass appropriate orders in accordance with law before effecting the promotion.

6. Learned Government Pleader for Services-I, appearing for the respondents, submits that the Writ Petition may be disposed of by directing the respondents to consider the representations of the petitioner, dated 16.02.2024 and 15.04.2025, in accordance with law, within a reasonable period.

7. Learned counsel for the petitioner did not dispute the submission made by the learned Government Pleader for Services-I, appearing for the respondents.

8. Taking into consideration the submissions made by the learned counsel for the respective parties, and without going into the merits of the case, this Writ Petition is disposed of, directing respondent No.1 to consider the petitioner's representation dated 15.04.2025 before effecting the promotion and to pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of four (4) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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

**SD/-K.BHAVANI SWAMY
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Secretary to Government Health, Medical and Family Welfare Department, State of Telangana, Secretariat Building, Hyderabad.
2. The Secretary to Government Health, Medical & Family Welfare Department, State of Telangana, Secretariat Building, Hyderabad.
3. One CC to SRI P. V. KRISHNAIAH, Advocate [OPUC]
4. Two CCs to GP for Services-I, High Court for the State of Telangana at Hyderabad. [OUT]
5. Two CD Copies

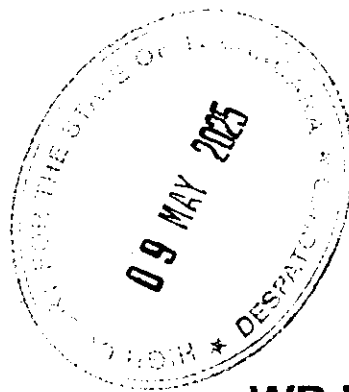
MP/BSK

✓

CC TODAY

HIGH COURT

DATED:30/04/2025



ORDER

WP.No.13675 of 2025

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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G.B
9/5/25