

(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE EIGHTH DAY OF SEPTEMBER TWO THOUSAND AND
TWENTY TWO
:PRESENT:
THE HONOURABLE SRI JUSTICE P NAVEEN RAO
AND
THE HONOURABLE SRI JUSTICE J SREENIVAS RAO
WRIT PETITION NO: 34715 OF 2022

Between:

K. Srikanth, S/o. Ramachandran, aged 34 years, R/o. 9-4-618, Saphagiri Colony, Near hasnapur Road No.3, Karimnagar District, Hall Ticket No.912006429.

...Petitioner

AND

1. High Court for the State of Telangana, Hyderabad, Rep by its Registrar (Recruitment).
2. The Principal District and Sessions Judge, Karimnagar District, Karimnagar.
3. Erukala Sarin Kumar, S/o. Laxmaiah, R/o. H.No.2-179, Nagepally Village, Ramageri Mandal, Peddapally District – 505576, Hall Ticket No.912003377.
4. Gummala Chandra Shekar, S/o. Mallaiah, R/o. H.No.1-95/1, Velgatoor Village and Mandal, Jagityal District – 505172.

...Respondents

WHEREAS the Petitioner above named through his Advocate M/s. G. SAI PRASEN presented this 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 order, direction or Writ more particularly one in the nature of Writ of Mandamus or any other appropriate writ (i) Declare that the 3rd Respondent and 4th Respondent are ineligible to be considered for the Post of Office Sub-Ordinate in terms of the Notification No.9/2019 dated: 31.07.2019, since they possess higher qualifications than the prescribed qualifications, (ii) Direct the 1st Respondent and 2nd Respondent to delete the names of 3rd Respondent and 4th Respondent and other similarly situated persons who possess higher qualification and (iii) consequently direct the Respondents 1 and 2 to consider the candidature of the petitioner in those resultant vacancies as per his merit in the selection list.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of M/s. G. SAI PRASEN Advocate for the Petitioner and Sri. K. Anand Kumar learned standing counsel, who takes notice on behalf of Respondent Nos.1 and 2, directed issue of notice to the Respondents herein returnable by 18.10.2022 to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Registrar (Recruitment), High Court for the State of Telangana at Hyderabad.
2. The Principal District and Sessions Judge, Karimnagar District, Karimnagar.
3. Erukala Sarin Kumar, S/o. Laxmaiah, R/o. H.No.2-179, Nagepally Village, Ramageri Mandal, Peddapally District – 505576, Hall Ticket No.912003377.
4. Gummala Chandra Shekar, S/o. Mallaiah, R/o. H.No.1-95/1, Velgatoor Village and Mandal, Jagityal District – 505172.

are directed to show cause on or before 18-10-2022 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2022

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 1st Respondent and 2nd Respondent to consider the representation of Petitioner dated: 06.06.2022 by deleting the names of 3rd Respondent and 4th Respondent and consider the candidature of Petitioner for selection to the post of Office Sub-Ordinate, pending disposal of WP.No.34715 of 2022, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission, returnable by 18.10.2022.

In addition to Court notice, learned counsel for the petitioner is also permitted to take out personal notice on the respondents 3 and 4.

Sri K.Anand Kumar learned standing counsel takes notice on behalf of respondents 1 and 2.

As per the rules governing the post and the recruitment notification, a candidate competing to the post of Office Subordinate should not have qualification of pass in SSC examination. That being so, as per the photocopies of Secondary School Certificates of respondents 3 and 4, both of them have passed SSC examination and, therefore not eligible to compete to the post of Office Subordinate.

Therefore, prima facie, the selection of respondents 3 and 4 is not in accordance with law. Balance of convenience is in favour of the petitioner.

There shall be stay on appointing the respondent nos.3 and 4 as Office Subordinates.

List on 18.10.2022.

SD/- T. TIRUMALA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Registrar (Recruitment), High Court for the State of Telangana at Hyderabad.
2. The Principal District and Sessions Judge, Karimnagar District, Karimnagar.
3. Erukala Sarin Kumar, S/o. Laxmaiah, R/o. H.No.2-179, Nagepally Village, Ramageri Mandal, Peddapally District – 505576, Hall Ticket No.912003377.
4. Gummala Chandra Shekar, S/o. Mallaiah, R/o. H.No.1-95/1, Velgatoor Village and Mandal, Jagityal District – 505172 (RR 2 to 4 by RPAD along with a copy of petition and affidavit).
5. One CC to M/s. G. SAI PRASEN, Advocate [OPUC].
6. Two spare copies
ZEE

HIGH COURT

PNRJ & JSRJ

DATED:08/09/2022

LIST ON 18.10.2022

NOTICE BEFORE ADMISSION

WP.No.34715 of 2022

INTERIM STAY

