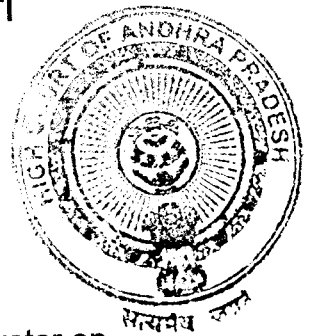


**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

THURSDAY, THE SIXTEENTH DAY OF DECEMBER,
TWO THOUSAND AND TWENTY ONE

:PRESENT:

**THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NO: 29588 OF 2021**



Between:

Melam Mary, W/o. K.Prabhakara Rao, aged 41 years, Occ: Data Entry Operator on Contract Basis, (RNTCP), O/o The District TB Control Officer, Prakasam District, Ongole.

...Petitioner

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Health, Medical and Family Welfare Department Secretariat, Velagapudi, Guntur District.
2. The District Collector/Chairman, The District Selection Committee District Health and Family Welfare Society (RNTCP) Ongole, Prakasam District.
3. The District Medical and Health Officer/Member, District Health and Family Welfare Society (RNTCP), Prakasam District, Ongole
4. The District TB Control Officer, Prakasam District Ongole.
5. Thella Beula Rani, D/o.T. Lakshmaiah, Age 47 years, Unemployee, O/o. District T.B.Control Office, Prakasam District, Ongole.

...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 Writ of Mandamus declaring the action of the respondents herein in preparing the impugned merit list dated 10.11.2021 for the post of DR-TB Statistical Assistant on contract basis following the notification dated 24-1-2020 and also the consequential rejection in rejecting the petitioner's claim for awarding weightage marks for contract service vide Rc.No.Spl/NTEP/DTCO/Prakasam/2021, dated 7-12-2021 as highly illegal, arbitrary, contrary to the guidelines and also conditions of the notification and consequentially the Hon'ble Court may be pleased to set aside the impugned merit list dated 10.11.2021 and consequential impugned order dated 7-12-2021 including further selection to the post of DR-TB Statistical Assistant, with a further direction to the respondents herein to prepare a fresh revised merit list for the post of DR-TB Statistical Assistant on contract basis strictly as per the guidelines and also as done in case of other districts in AP.

IA NO: 1 OF 2021

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 respondents herein not to fillup the post of DR-TB Statistical Assistant on contract basis, pending disposal of WP.No.29588 of 2021, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri M.R.Tagore, Advocate for the Petitioner and GP for Services-IV for the Respondent Nos.1 to 4, the Court made the following.

ORDER:

"Heard the learned counsel for the petitioner and learned Government Pleader for Services-IV, who seeks time to secure instructions in the matter.

However, considering the submissions made by the learned counsel for the petitioner that in the provisional merit list for the post of DR-TB Statistical Assistant, the petitioner was not given weightage of marks and that no information is disclosed as to on what basis lump sum marks were awarded to

the candidates unlike in the other Districts and further that in similar circumstances, interim orders were granted in W.P.No.5943 of 2021 dated 17.03.2021, this Court is inclined to grant interim orders.

Accordingly, there shall be interim direction as prayed for.

Learned counsel for the petitioner is permitted to take out personal notice on respondent No.5 by RPAD and file proof of service in the Registry within three weeks.

List the matter after four (4) weeks."

//TRUE COPY//

SD/- K.TATA RAO
DEPUTY REGISTRAR

For SECTION OFFICER

To,

1. The Principal Secretary, Health, Medical and Family Welfare Department Secretariat, Velagapudi, Guntur District, State of Andhra Pradesh.
2. The District Collector/Chairman, The District Selection Committee District Health and Family Welfare Society (RNTCP) Ongole, Prakasam District.
3. The District Medical and Health Officer/Member, District Health and Family Welfare Society (RNTCP), Prakasam District, Ongole
4. The District TB Control Officer, Prakasam District Ongole.
5. Thella Beula Rani, D/o.T. Lakshmaiah, O/o. District T.B.Control Office, Prakasam District, Ongole. (Addresses 1 to 5 by RPAD)
6. One CC to Sri. M.R.Tagore, Advocate [OPUC]
7. Two CCs to GP for Services-IV, High Court of Andhra Pradesh. [OUT]
8. One spare copy

MM



HIGH COURT

NJSJ

DATED:16/12/2021

NOTE: LIST THE MATTER AFTER FOUR (4) WEEKS

ORDER

WP.No.29588 of 2021

INTERIM DIRECTION

