



(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)
MONDAY, THE EIGHTEENTH DAY OF MARCH TWO THOUSAND AND NINETEEN
:PRESENT:

THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO: 5564 OF 2019

Between:

1. J. Shankar, S/o. J. Ramulu, aged about 38 years, Occ: Unemployed, permanent resident of H.No.8-26, Teneguvada, Dharmapuri Village, Post & Mandal, Karimnagar District now Jagtial District, Telangana State.
2. G. Srimathi, D/o. Jaihind, aged about 42 years, Occ: Unemployee, resident of H.No.12-6-144, Shiva Nagar, Sircilla, Rajanna-Sircilla District, Telangana State.

...Petitioners

AND

1. The State of Telangana, Rep. by its Principal Secretary to Govt., Higher Education Department, Telangana Secretariat, Hyderabad - 500 022.
2. Telangana State Public Service Commission (TSPSC), Prathiba Bhavan, M.J. Road, Nampally, Hyderabad - 500 001.
3. The Commissioner, The Commissioner & Director of School Education, Saifabad, Hyderabad, Telangana - 500 004.

...Respondents

WHEREAS the Petitioner above named through their Advocate Smt. SHIRISHA KATKOJWALA presented this writ petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, 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 Respondent No.2 i.e., Telangana State Public Service Commission (TSPSC) in decreasing the share of Open category to 39 percent (i.e., 24 posts) by unduly increasing the share of other reserved categories upto 61 percent (i.e., 37 posts) out of total 100 percent (i.e., 61 posts) under Plain - Local Body and also in decreasing the share of Open category to 42 percent (i.e., 3 posts) by unduly increasing the share of other reserved categories up to 58 percent (i.e., 4 posts) out of total 100 percent (i.e., 7 posts) under Plain-Government in Karimnagar District pursuant to distribution of posts for direct recruitment of Teacher Recruitment Test (TRT) in School Education Department Language Pandit (Telugu) vide Notification No. 54/2017, dated 21.10.2017 among Unreserved and Reserved categories violating Telangana State and Subordinate Service Rules, 1996 issued vide G.O.Ms.No.196, dated 28-05-2016 and violating G.O.Ms.No.16, dated 11.03.2015 issued by Backward Class Welfare Department and also violating the 50 percent upper limit cap of reservations as law laid down by Honorable Supreme Court in various Judgements and further violating Article 14, 15 and 16 of the constitution of India as arbitrary, unreasonable, illegal and Unconstitutional and consequentially direct the respondents to reallocate and redistribute the posts as per the law and consider the eligibility of petitioners to the posts of Language Pandit (Telugu).

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Smt. SHIRISHA KATKOJWALA, Advocate for the Petitioner, directed issue of notice to the Respondents herein returnable in three weeks to show cause as to why this writ petition should not be admitted in the circumstances set out in the petition and the affidavit filed in Writ Petition;

You viz:

1. The Principal Secretary to Govt., Higher Education Department, State of Telangana, Telangana Secretariat, Hyderabad - 500 022.
2. Telangana State Public Service Commission (TSPSC), Prathiba Bhavan, M.J. Road, Nampally, Hyderabad - 500 001.
3. The Commissioner, The Commissioner & Director of School Education, Saifabad, Hyderabad, Telangana - 500 004.

are directed to show cause 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.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Post after two (02) weeks.

//TRUE COPY//

Sd/- N. CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

1. The Principal Secretary to Govt., Higher Education Department, State of Telangana, Telangana Secretariat, Hyderabad - 500 022.
2. Telangana State Public Service Commission (TSPSC), Prathiba Bhavan, M.J. Road, Nampally, Hyderabad - 500 001.
3. The Commissioner, The Commissioner & Director of School Education, Saifabad, Hyderabad, Telangana - 500 004 (RR 1 to 3 by RPAD along with a copy of petition and affidavit).
4. One CC to Smt. SHIRISHA KATKOJWALA, Advocate [OPUC].
5. Two CCs to GP FOR SERVICES-I, High Court for the State of Telangana at Hyderabad [OUT].
6. One spare copy.

HIGH COURT

AKSJ

DATED: 18/03/2019

POST AFTER TWO (02) WEEKS

NOTICE BEFORE ADMISSION



WP.No.5564 of 2019