

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

TUESDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

**THE HONOURABLE SRI JUSTICE PULLA KARTHIK
WRIT PETITION NO: 5454 OF 2024**

Between:

1. Govinda Jhansirani, D/o G. Babu, 28 years, Un-employee, R/o H.No. 3-32/1, Parkal, Hanamkonda, Hanamkonda District, SC, H.T. No. 2302047047, Marks - 87 OTR ID . TREI 1000078016
2. Sirimilla Swathi, D/o S. Chandramouli, 37 years, Un-employee, R/o H.No. 2-24/6, Neerukulla Village, Athmakur Mandal, Hanamkonda District - 506342. SC, H.T. No. 2302027403, Marks - 87 OTR ID . TREI 1000047612
3. Chede Pravalika, D/o Chandraiah, 36 years, Un-employee, R/o H.No. 3-124, Patimatta Village, Mothkur Mandal, Yadadri-Bhongiri District, Telangana State - 508277 SC, H.T. No. 2302013335, Marks - OTR ID . TREI 1000025484
4. Koppula Swathi, D/o Koppula Sriramulu, 34 years, Un-employee, R/o H.No. 2-133, Paddagopathi Village, Konijerla Mandal, Khammam District, Telangana State SC, H.T. No. 2302084276, Marks - 86.50 OTR ID . TREI 1000135825
5. Thotapally Kalyani, D/o Thotapally Prabhakar Rao, 38 years, Un-employee, Thanneru Kishore, Wyr, Khammam, Telangana - 507165. SC, H.T. No. 2302003954, Marks - 75.75 OTR ID . TREI 1000032746
6. Thadigoppula Padma, D/o Pochaiah, 32 years, Un-employee, R/o 2-30/03, Saidapur, Vennampalle, Karimnagar Telangana State - 505 490. Presently Rajanna Siricilla, BC-A, H.T. No. 2302045293, Marks - 80.50 OTR ID . TREI 1000075390
7. Barla Anjamma, D/o Mallaiah, 39 years, Un-employee, R/o H.No. 1092, Nagaiah Pally, Vemulawada, Telangana SC, H.T. No. 2302017807, Marks - 86, OTR ID . TREI 1000032746
8. Sambaraju Anusha, S/o Sambaraju Lingamurthy, 35 years, Un-employee, R/o H.No. 3-7-265/5, Indira Nagar Reddy Colony, Near 3agruthi High School, Hanamkonda, Telangana - 506010. BC-A, H.T. No. 2302028903, Marks - 70, OTR ID . TREI 1000050155
9. Palle Bhagyalaxmi, W/o Encherla Nagaraju, 33 years, Un-employee, R/o H.No. 4-20, Gollapally and Kamanpur, Peddapally, Telangana - 505188, BC-D, H.T. No. 2302050080, Marks - 95, OTR ID . TREI 1000082475
10. Karnali Veeranjani, S/o Narsaiah, 37 years, Un-employee, R/o H.No. 6-9-187/2, Near MKV School, Padma Nagar Colony, Hyderabad Road, Nalgonda - 508001, Telangana State. BC-B, H.T. No. 2302008622, Marks - 104.25, OTR ID . TREI 1000017632
11. Chukka Saritha, D/o Laxmaiah, 39 years, Un-employee, RA) H.No. 4-70/1, Indira Colony, Ganapavaram, Suryapet, Suryapet District, Telangana State - 508238. SC, H.T. No. 2302006025, Marks - 77, OTR ID . TREI 1000013301
12. Badavath Radhika, D/o Ramchander, 27 years, Un-employee, R/o H.No. 1-30, Bibipur Thanda, Kamalapur Dichpally, Nizamabad, Telangana - 503164. ST, H.T. No. 2302061008, Marks - , OTR ID . TREI 1000098411

13. Gundu Balakrishna, S/o Nagabhushanam, 28 years, Un-employee, Gandhinagar, Devarakonda, Andhra Pradesh, BC-B, H.T. No. 2302023572, Marks - 109, OTR ID . TREI-1000041541
14. Nama Padma, D/o Nama Rajalingam, 41 years, Un-employee, R/o H.No. 1-18, Main Road, Nemmikal, Atmakur, Suryapet District, Telangana State - 508212. BC-D, H.T. No. 2302010671, Marks - 94.75, OTR ID . TREI 1000021124
15. Gaddam Sahithya, D/o Gaddam Ramulu, 30 years, Un-employee, R/o H.No. 1-4-42, Bhoigalli Bhainsa, Nirmal District, Telangana State - 504103 BC-B, H.T. No. 2302008022, OTR ID . TREI 1000016540
16. Racha Saroja, D/o Sreenivasulu, 45 years, Un-employee, R/o H.No. 18-1389/1A, Hanumanpet, Miryalaguda, Nalgonda District, Telangana State - 508207 BC-B, H.T. No. 2302032044, OTR ID . TREI 1000055191
17. Bandari Soujanya, D/o Venkata Swamy, 37 years, Un-employee, R/o Flat No. 107, Vijetha Residency, Kothirampur, Karimnagar District, Telangana State - 505001. BC-B, H.T. No. 2302020824, OTR ID . TREI 1000037345
18. Chennumalla Srilakshmi, D/o Chennumalla Pitchaiah, 31 years, Un-employee, R/o H.No. 3-50, Vepalasingaram Village and Post, Huzurnagar Mandal, Suryapet District, Telangana State - 508204. BC-B, H.T. No. 2302041841, OTR ID . TREI 1000070310
19. Endla Bixapathi, S/o Odelu, 38 years, Un-employee, R/o H.No. 5-103, Gollawada, Tirumalagiri, Warangal District, Telangana State - 506348, BC-B, H.T. No. 2302018963, OTR ID . TREI 1000031264

Petitioners

AND

1. The State of Telangana, General Administration Department, Secretariat, Hyderabad - 500002, rep. by its Chief Secretary,
2. The Principal Secretary, Social Welfare Department, The State of Telangana, Secretariat, Hyderabad.
3. The Principal Secretary, Higher Education Department, The State of Telangana, Secretariat, Hyderabad.
4. The Telangana Residential Educational Institutions Recruitment Board (TREI-RB), DSS Bhavan, Masab Tank, Hyderabad - 500028. rep. by its Chairman
5. The Executive Officer (Convenor), (TREI-RB), DSS, Bhavan, Masab Tank, Hyderabad - 500028.
6. Telangana Social Welfare Residential Educational Institutions Society (TSWREIS), Represented by its Secretary, Hyderabad.
7. Mahatma Jyothiba Phule Telangana, Backward Classes Welfare Residential Educational Institutions Society (MJPTBCWREIS), Rep. by its Secretary, Hyderabad.
8. The Telangana Minorities Residential Educational Institutions Society (TMREIS), Rep. by its Secretary, Hyderabad.
9. Telangana Tribal Welfare Residential Educational Institutions Society (TTWREIS), Represented by its Secretary, Hyderabad.
10. The Acharya Nagarjuna University, Nagarjuna Nagar, Guntur, Guntur District, Rep. by its Registrar
11. The University Grants Commission, Bahadur Shah Zafar Marg, New Delhi, rep. by its Secretary.

Respondents

WHEREAS the Petitioners above named through their Advocate M/s CHANDRAIAH SUNKARA 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 Writ of Mandamus or any other appropriate Writ, Order or direction:

- a) declaring the action of the Respondents No. 4 and 5, in provisionally selecting and provisionally appointing the Candidates who prosecuted their Graduation Courses / Bachelor of Library Science Courses through the 4th Respondent University and some other Universities, through Distance Mode of Education, beyond the territorial jurisdiction of those Universities, without properly verifying the Certificates of those Candidates,
- b) declaring the action of the Respondents in not calling the Candidates, whose names were included in the Provisional Selection List, for Certificate 28 Verification, in the descending order of the Posts viz. Librarians in Degree Colleges, Librarians in Junior Colleges, there after the Librarians in Schools, Lecturer in Degree Colleges, Lecturer in Junior Colleges, PGTs, TGTs etc., by seeking their option for relinquishment of Posts, in the case when the Candidates were selected for Higher Posts as well as Lower Posts, instead of keeping the Lower Cadre Vacancies/ Posts as Backlog Vacancies/ Posts, contrary to the dicta of the Honorable Supreme Court in the case of Munja Praveen and others Vs. State of Telangana and Others, reported in 2017 (14) SCC 797,
- c) declaring the action of the Respondents No. 4 and 5, in not following the transparent procedure for selection of the Candidates, by displaying the Zone wise cut off marks, Reservation wise cut off marks in the 1 . 2 Provisional List and 1 . 1 Provisional Selection List,
- d) declaring the action of the Respondents No. 4 and 5, in not treating the other Special Reservations like Meritorious Sports Persons, Physically Handicapped Persons, Economically Weaker Sections Categories Reservations as Horizontal Reservations like Women Reservation, as arbitrary, illegal and violative of the Articles 14, 15, 16 and 21 of the Constitution of India, and
- e) Consequently, direct the Respondents No. 1 to 9 to cancel the Provisional Selections and Provisional Appointments of the Candidates, who obtained their Bachelor of Degree and Bachelor of Library Science Certificates, through Distance Mode from the 10th Respondent University and other similar Universities, beyond their territorial jurisdiction, contrary to the Public Notices issued by the 11th Respondent, by re-verifying those Candidates Certificates, and appoint the Petitioners as Librarian (School), in the resultant vacancies, by operating the Merit Lists downwards, in terms of the law declared by the Honorable Supreme Court in the Case reported in the case of Munja Praveen and others Vs. State of Telangana and Others, reported in 2017 (14) SCC 797, based on their Merit and Social Status, pursuant to the Notification No. 04 of 2023 dated 05-04-2023, with all consequential benefits;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of M/s CHANDRAIAH SUNKARA, Advocate for the Petitioner and Learned Government Pleader for Services takes notice on behalf of respondent Nos.1 to 3, Sri Nayakawadi Ramesh, learned Standing Counsel for Telangana Residential Educational Institutions Recruitment Board, takes notice on behalf of respondent Nos.4 and 5, Sri S. Bhupal Reddy, learned Standing Counsel for Telangana Social Welfare Residential Educational Institutions Society, takes notice on behalf of respondent Nos.6 to 9, directed issue of notice to the Respondent Nos. 10 and 11, to herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Registrar, Acharya Nagarjuna University, Nagarjuna Nagar, Guntur, Guntur District.
2. The Secretary, University Grants Commission, Bahadur Shah Zafar Marg, New Delhi.

are directed to show cause on or before 10.06.2024 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 2024

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 No. 1 to 9 to cancel the Provisional Selections and Provisional Appointments of the Candidates, who obtained their Bachelor of Degree and Bachelor of Library Science Certificates, through Distance Mode from the 10th Respondent University and other similar Universities, beyond their territorial jurisdiction, contrary to the Public Notices issued by the 11th Respondent, by re-verifying those Candidates Certificates, and appoint the Petitioners as Librarian (School), in the resultant vacancies, by operating the Merit Lists downwards, in terms of the law declared by the Honorable Supreme Court in the Case reported in the case of Munja Praveen and others Vs. State of Telangana and Others, reported in 2017 (14) SCC 797, based on their Merit and Social Status, pursuant to the Notification No. 04 of 2023 dated 05-04-2023, pending disposal of WP No. 5454 of 2024, on the file of the High Court.

The Court made the following:

ORDER:

Notice before admission.

Learned Government Pleader for Services takes notice on behalf of respondent Nos.1 to 3 and waives further notice.

Sri Nayakawadi Ramesh, learned Standing Counsel for Telangana Residential Educational Institutions Recruitment Board, takes notice on behalf of respondent Nos.4 and 5, waives further notice and seeks time to file counter affidavit.

Sri S. Bhupal Reddy, learned Standing Counsel for Telangana Social Welfare Residential Educational Institutions Society, takes notice on behalf of respondent Nos.6 to 9 and waives further notice.

Registry is directed not to take out notices to respondent Nos.1 to 9 in view of the above waiver.

Post this matter on 10.06.2024 for counter.

Any selections to the posts of Librarian in Degree Colleges, Librarian in Junior Colleges and Librarian (School), pursuant to Notification Nos.01/2023, 02/2023 and

04/2023, all dated 05.04.2023, respectively, shall be subject to outcome of the present writ petition.

SD/-T.JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chief Secretary, General Administration Department, State of Telangana, Secretariat, Hyderabad - 500002 .
2. The Principal Secretary, Social Welfare Department, State of Telangana, Secretariat, Hyderabad.
3. The Principal Secretary, Higher Education Department, State of Telangana, Secretariat, Hyderabad.
4. The Chairman, Telangana Residential Educational Institutions Recruitment Board (TREI-RB), DSS Bhavan, Masab Tank, Hyderabad - 500028.
5. The Executive Officer (Convenor), (TREI-RB), DSS, Bhavan, Masab Tank, Hyderabad - 500028.
6. The Secretary, Telangana Social Welfare Residential Educational Institutions Society (TSWREIS), Hyderabad.
7. The Secretary, Mahatma Jyothiba Phule Telangana, Backward Classes Welfare Residential Educational Institutions Society (MJPTBCWREIS), Hyderabad.
8. The Secretary, Telangana Minorities Residential Educational Institutions Society (TMREIS), Hyderabad.
9. The Secretary, Telangana Tribal Welfare Residential Educational Institutions Society (TTWREIS), Hyderabad.
(Addresses 1 to 9 by RPAD)
10. The Registrar, Acharya Nagarjuna University, Nagarjuna Nagar, Guntur, Guntur District.
11. The Secretary, University Grants Commission, Bahadur Shah Zafar Marg, New Delhi.
(Addresses 10 and 11 by RPAD- along with a copy of petition and memorandum of grounds)
12. One CC to M/s CHANDRAIAH SUNKARA, Advocate [OPUC]
13. Two CCs to GP FOR SERVICES, High Court at Hyderabad. [OUT]
14. One spare copy

HIGH COURT

PK, J

DATED:30/04/2024

NOTE: POST THIS MATTER ON 10.06.2024 FOR COUNTER.

NOTICE BEFORE ADMISSION

ORDER

WP.No.5454 of 2024

INTERIM DIRECTION

