

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**WEDNESDAY, THE SIXTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR**

:PRESENT:

**THE HONOURABLE SRI JUSTICE PULLA KARTHIK
WRIT PETITION NO: 30922 OF 2024**

Between:

Syeda Azrana Begum, W/o Md Nooruddin, Age. 46 years, Occ. Working as PGT, R/o. H. No. 17-1-376/528, Santosh Nagar Colony, Santhosh Nager, Hyderabad-500059. JL Civics (Urdu Medium) Hall Ticket No.. 2204033602, GRL. 7.

Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary, Higher Education Department, Dr B R Ambedkar Telangana Secretariat, Hyderabad.
2. The Telangana Public Service Commission (TGPSC), Represented by its Secretary, Prathibha Bhavan, M.J. Road, Nampally, Hyderabad, 500103
3. The Commissioner, Intermediate Education in Telangana, Rep. by its Secretary, Vidhyabhavan, Nampally Hyderabad - 500001
4. The State of Telangana, Rep. by its Secretary, Women, Children, Disabled, Senior Citizens Welfare Department Dr B R Ambedkar Telangana Secretariat, Hyderabad.

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 an appropriate Writ, Order, or Direction, more particularly one in the nature of Writ of Mandamus or any other appropriate writ to declare the action of the 2nd Respondent in NOT selecting the petitioner under Women Reservation in Open Category (OC) as per the original notification in which 1 post is earmarked for Women as illegal, arbitrary, discriminatory, against the Hon'ble Apex Court judgement in K. Manjusree vs. State of Andhra Pradesh (2008) 3 SCC 512, alternatively, after revised break-up vacancies, since 2 posts are allocated in OC Category and at least one should be selected under Women Reservation in accordance with the G.O.Ms.No.3, Women, Children, Disabled, Senior Citizens Welfare Department, dated 10.02.2024 and resulting in not meeting 33.33 percent reservation earmarked for Women as illegal, arbitrary, discriminatory, against the Hon'ble Apex Court judgement in State of U.P v. Pawan Kumar Tiwari (2005) 2 SCC 10 and Shiv Prasad v. Government of India, (2008) 10 SCC 382 also violative of Art 14, 16(1), 19 and 21 guaranteed under the Constitution of India, and Consonsequently, direct the 2nd respondent to strictly follow the vacancy positions earmarked pursuant to Notification vide No. 22/2022, dated 09.12.2022 or alternatively, consider the

candidature of the petitioner who got the overall 7th Rank and 1st rank. Women Category by strictly following the G.O.Ms.No.3, Women, Children, Disabled, Senior Citizens Welfare Department, dated 10.02.2024 in calculating 33.33 percent Horizontal Women Reservation based on the number of vacancies available in OC Category;

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 STAY on further process of selection pursuant to Notification vide No. 22/2022, dated 09.12.2022 to the extent of 2 posts of OC category, Pending disposal of WP 30922 of 2024, on the file of the High Court.

IA NO: 2 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 2nd respondent to strictly follow the vacancy positions earmarked pursuant to Notification vide No. 22/2022, dated 09.12.2022 or alternatively, consider the candidature of the petitioner who got the overall 7th Rank and 1st rank Women Category by strictly following the G.O.Ms.No.3, dated 10.02.2024 in calculating 33.33% Horizontal Women Reservation in OC Category, Pending disposal of WP 30922 of 2024, 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 RAMESH CHILLA Advocate for the Petitioner, GP FOR SERVICES I for the Respondent Nos. 1, 3 and 4 and Sri P.S.Rajasekhar, learned Standing Counsel for (TGPSC) for respondent No.2 and the Court made the following.

ORDER:

Notice before admission.

Learned Government Pleader for Services-I takes notice on behalf of respondent Nos.1, 3 and 4 and waives further notice.

Sri P.S.Rajasekhar, learned Standing Counsel for (TGPSC) takes notice on behalf of respondent No.2, waives further notice and seeks time to file counter-affidavit.

Registry is directed not to issue notice to the respondents in view of above waiver.

Any selections made to the post of Civics (Urdu Medium) pursuant to Notification No.22/2022, dated 09.12.2022 in Open Category shall be subject to result of the Writ Petition.

Post on 05.12.2024 for filing counter-affidavit.

SD/-V.KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Higher Education Department, State of Telangana, Dr B R Ambedkar Telangana Secretariat, Hyderabad.
2. The Secretary, Prathibha Bhavan, Telangana Public Service Commission (TGPSC), M.J. Road, Nampally, Hyderabad, 500103
3. The Secretary, Commissioner, Intermediate Education in Telangana, Vidhyabhavan, Nampally Hyderabad - 500001
4. The Secretary, Women, Children, Disabled, Senior Citizens Welfare Department, State of Telangana, Dr B R Ambedkar Telangana Secretariat, Hyderabad.
(Addresses 1 to 4 by RPAD)
5. One CC to M/s RAMESH CHILLA, Advocate [OPUC]
6. Two CCs to GP FOR SERVICES I, High Court at Hyderabad. [OUT]
7. One spare copy

HIGH COURT

PK, J

DATED:06/11/2024

**NOTE: POST ON 05.12.2024
FOR FILING COUNTER-AFFIDAVIT.**

ORDER

WP.No.30922 of 2024

INTERIM DIRECTION

