

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF MAY  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HON'BLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 10723 OF 2024



**Between:**

A.Sumathi, W/o Kasipathi Jaya Bharath Reddy, Aged about 47 years, Occ-Physical Science Teacher, ROM High School, Mydukur, Kadapa District.

**...PETITIONER**

**AND**

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, (Dept. of School Education), Secretariat, Velagapudi, Amaravati, Guntur- 522237.
2. The Commissioner and Director of School Education, A.P. Anjaneya Towers, Ibrahimpatnam, NTR District.
3. The Regional Joint Director, School Education, Kadapa, Kadapa District.
4. The District Educational Officer, Kadapa, Kadapa District.
5. Cuddapah Diocese Educational Society, Rep. by its Manager, RCM Schools, Kadapa, Kadapa District.

**...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 mandamus declaring the inaction of the respondents to considering the representation dated 25.03.2024 for seeking appointment and without TET Qualification to fill up the vacant aided post in the RCM Schools at Kadapa is as illegal,

arbitrary, violation of article 14, 16 and 21 of the Constitution of India and contrary to the G.O.Ms.No. 67, Dt. 26.10.2018 and consequently direct the respondents to consider my representation dated 25.03.2024.

**IA NO: 1 OF 2024**

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 may be pleased to direct the respondents to consider the representation dated 25.03.2024 for seeking appointment and without TET Qualification to fill up the vacant aided post in the RCM Schools at Kadapa pending disposal of the main writ petition.

**Counsel for the Petitioner: SRI. VALLEPU JAGADEESH**

**Counsel for the Respondents No.1 to 5: GP FOR HIGHER  
EDUCATION**

**The Court made the following: ORDER**

**ORDER:**

This petition is filed under Article 226 of the Constitution of India, seeking the following relief:-

*“...to issue a writ, order or direction more particularly one in the nature of mandamus declaring the inaction of the respondents to considering the representation dated 25.03.2024 for seeking appointment and without TET Qualification to fill up the vacant adided post in RCM Schools in Kadapa is as illegal, arbitrary, violation of article 14, 16 and 21 of the Constitution of India and contrary to the G.O.Ms.No.67, dated 26.10.2018 and consequently direct the respondents to consider my representation dated 25.03.2024 and pass such other order or orders...”*

2. Heard learned counsel for the petitioner and the learned Government Pleader for Higher Education appearing for the respondents.

3. The case of the petitioner, is that, the petitioner was appointed as Grade-II Physical Science Teacher at RCM High School (Un-Aided Teachers), Mydukur, Kadapa District in 1999 vide Reference No.8/M0/98, dated 13.07.1999 proceedings issued by the Deputy General Manager, RCM School, Cuddapah Diocese Educational Society, with due permission of the Higher Authority. Petitioner has completed B.Sc and B.Ed from Sri Venkateswara and Nagarjuna Universities respectively. Till date, petitioner has completed around 25 years of service, without TET Qualification.

4. The petitioner has approached the respondent authorities several times, seeking to consider her appointment without insisting for TET Qualification in



the vacant aided posts in the said school. Although the authorities orally agreed to consider her request, yet no action has been taken.

5. Since 2003, the Cuddapah Educational Diocese Society has not conducted any recruitment. The society has filed W.P.No.15324 of 2018, seeking permission to fill up the vacant aided posts in RCM Schools without insisting for TET qualified candidates wherein the Hon'ble Court granted interim order directing the respondents to permit the petitioner's school to fill up the vacant aided posts without insisting for TET qualified candidates, duly following the procedure laid down in G.O.Ms.No.1, Education (PS 2) dated 01.01.1994 and Right to Education Act, 2009, in view of the Government Memo No.2377936/PS/2024 dated 13.03.2024. In compliance, authorities published a paper publication for filling vacancies at RCM School.

6. Upon knowing the same, the petitioner has made a representation to the respondent authorities on 25.03.2024 seeking appointment without TET qualification. Though, the petitioner is eligible as per the G.O.Ms.No.67, dated 26.10.2018 School Education, no action has been taken on the petitioner's representation dated 25.03.2024. Hence, the present writ petition.

7. As the representation submitted by the petitioner is still pending for consideration before the respondent authorities, this Court, instead of going into the merits of the case, deems it appropriate to dispose of the same, by directing the respondent authorities to pass appropriate orders on the

petitioner's representation dated 25.03.2024 within a period of four (04) weeks, from the date of receipt of copy of this Order.

8. With the above direction, the Writ Petition is disposed of. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

SD/- K.TATATAO  
DEPUTY REGISTRAR  
SECTION OFFICER

To,

1. The Principal Secretary, (Dept. of School Education), State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur-522237.
  2. The Commissioner and Director of School Education, A.P. Anjaneya Towers, Ibrahimpatnam, NTR District.
  3. The Regional Joint Director, School Education, Kadapa, Kadapa District.
  4. The District Educational Officer, Kadapa, Kadapa District.
  5. The Manager, Cuddapah Diocese Educational Society, RCM Schools, Kadapa, Kadapa District.
  6. One CC to SRI. VALLEPU JAGADEESH Advocate [OPUC]
  7. Two CCs to GP FOR HIGHER EDUCATION, High Court of Andhra Pradesh. [OUT]
  8. Three C.D. Copies
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**HIGH COURT**

**DATED:07/05/2024**

**ORDER**

**WP.No.10723 of 2024**

**DISPOSING OF THE WP  
WITHOUT COSTS**

