

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

TUESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY

:PRESENT:
THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 17049 OF 2020



Between:

1. Ampavathi Kesava Prasad, S/o Ampavathi Ramakrishna
2. G.Surendranath Gowd, S/o. G. srinivasulu
3. M.Amarnath Reddy, S/o M.Vijayakumar Reddy
4. M.Venkata Ravi Sekhar, S/o M.Narayana
5. Bonthu Mallikarjuna Rao, S/o Bonthu Krishnamurthy
6. YellanuruHaritha, W/o Y.Ravi Chandra Reddy,
7. P.Vijayalakshamma, W/o Golla Soma Sekhar
8. Sudheer Kumar Maddula, S/o MaddulaNagabhushanam

Petitioners

AND

1. The State of Andhra Pradesh, Department of Panchayat Raj and Rural Development Secretariat Buildings, Velagapudi, Amaravathi Rep by its Principal Secretary.
2. The Commissioner of Panchayat Raj and Rural Development, Government of Andhra Pradesh Vijayawada
3. The Commissioner of Horticulture, Government of Andhra Pradesh TTPC Building, 1st Floor, Old Market Yard Chuttueunta, Beside Mini Rythu Bazaar, Guntur
4. The District Selection Committee, Rep by its Chairman/District Collector Anantapuramu District
5. The District Selection Committee, Rep by its Chairman/District Collector Krishna 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 an order, writ or direction more particularly in the nature of Writ of Mandamus declaring the action of the 3rd respondent in not allowing the petitioners who have worked as Micro Irrigation Areas Officers(MIAOs) and having all eligible qualifications and having filed applications for the said posts from participating in the selection process for the post of Village Horticulture Assistants (General Recruitment) vide Notification No. 01/Horti/2020 dated 10.01.2020 and Corrigendum to the Notification dated 30.01.2020 and subsequently issuing the Memo NoAGC0 I/HORT/97/2020-HS dated 14.09.2020 withdrawing certain educational qualifications as illegal, arbitrary and in violation of the petitioners rights guarantee under Article 14 and 16 of the Constitution of India and consequently direct the 3rd respondent to allow the petitioners to participate in the selection process.

IA NO: 1 OF 2020

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 To direct the respondents to issue Hall Tickets and allow the petitioners to participate in the selection process as given in the notification vide Notification No. 01/Horti/2020 dated 10.01.2020 and Corrigendum to the Notification dated 30.01.2020, pending disposal of WP 17049 of 2020, 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 Harish Kumar Rasineni Advocate for the Petitioners and of GP for Services-I for the Respondents, the Court made the following.

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Services-I, appearing on behalf of the respondents.

Learned counsel appearing for the petitioners has contended that the petitioners are qualified and eligible for the post of Village Horticulture Assistant, pursuant to the notification No.1/Horti/2020, dated 10.01.2020 and the respondents have issued corrigendum dated 30.01.2020 to the said notification, by virtue of said corrigendum, the petitioners opportunity was denied.

Despite the petitioners having qualifications as per the said notification and also as per the G.O.Ms.No.64 dated 19.06.2020, the authorities have not issued the hall tickets to the petitioners even though they have uploaded the applications within the prescribed time.

He further contends that after initiating the selection process, the respondents are not entitled to middle with the selection process. Hence, requested a direction to the respondents to issue hall tickets and consider their case for appointment to the said posts.

Learned Government Pleader appearing for the respondents has vehemently opposed that the petitioners are not having requisite educational qualifications as per the corrigendum, dated 30.01.2020 and also without having any I.Ds., the authorities could not be able to generate and issue the hall tickets to the petitioners, thereby requests time to file counter.

Learned counsel appearing for the petitioners categorically stated that they have uploaded the applications well within the time and they are also having the I.Ds., hence requests to direct the respondents to issue hall tickets and permit them to appear the examination, scheduled to be held on 25.09.2020.

Considering the above submissions, there shall be a direction to the respondents to issue hall tickets to the petitioners, who received the I.Ds., permit them to attend the examination and to participate in the selection process, but not to issue any appointment orders.

Post on 28.09.2020.

Meanwhile, learned Government Pleader is directed to file counter.

Sd/- M. SURYANADHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Principal Secretary, Department of Panchayat Raj and Rural Development, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi.
2. The Commissioner of Panchayat Raj and Rural Development, Government of Andhra Pradesh Vijayawada
3. The Commissioner of Horticulture, Government of Andhra Pradesh TTPC Building , 1St Floor, Old Market Yard Chuttueunta, Beside Mini Rythu Bazaar, Guntur
4. TheChairman/District Collector, District Selection Committee, Anantapuramu District
5. TheChairman/District Collector, District Selection Committee, Krishna District
6. One CC to Sri Harish Kumar Rasineni, Advocate [OPUC]
7. Two CCs to GP for Services-I, High Court of Andhra Pradesh. [OUT]
8. One spare copy

TVR

HIGH COURT

DRJ

DATED:22/09/2020

ORDER

WP.No.17049 of 2020

POST ON 28.09.2020

