

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 10419/2024

(Arising out of impugned judgment and order dated 27-12-2023 in WP No. 18842/2023 passed by the High Court for the State of Telangana at Hyderabad)

ELLA SUBRAMANI MANIKANTA KUMAR & ANR.

Petitioner(s)

VERSUS

THE STATE OF TELANGANA & ORS.

Respondent(s)

(FOR ADMISSION and I.R.)

Date : 13-05-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY  
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. B Adinarayana Rao, Sr. Adv.  
Mr. Goli Rama Krishna, Adv.  
Ms. Vandana Sharma, AOR  
Ms. Jyoti Saxena, Adv.  
Mr. Himanshu Saxena, Adv.  
Ms. Sakshi Babbar, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

1. Heard Mr. B Adinarayana Rao, learned senior counsel appearing for the petitioners.
2. The counsel would submit that petitioners responded to the notification dated 30.03.2024 for the vacancies in the District Judge Entry Level, in the Telangana Judicial Service. However, as the petitioners are practicing lawyers in the State of Andhra Pradesh, his eligibility is being questioned to apply for the Telangana Vacancies in reference to Rule 5.1(a) of the Telangana

State Judicial Service Rules, 2023. The said rule require an applicant to be a practicing advocate under the Telangana High Court's jurisdiction in the State of Telangana. The other contention is that the Rules were notified on 10.06.2023 but they are made retrospectively applicable to the recruitment notification issued earlier on 30.03.2023.

3. Under the impugned judgment, the High Court dismissed the Writ Petition filed by the petitioners by application of the aforesaid Rules by noting that the petitioners are not practicing in the State of Telangana and are therefore ineligible.

4. Issue notice, returnable in four weeks.

5. In the impugned recruitment process, the petitioners were allowed to participate by the High Court with an interim order. As fresh vacancy notification is likely to be issued shortly, the petitioners should not be held ineligible on the ground of not being practicing lawyers in the State of Telangana. In other words, if the petitioners had the benefit of an interim order passed by the High Court for the impugned process, similar interim order will also be available for the forthcoming vacancy notification.

(NITIN TALREJA)  
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)  
ASSISTANT REGISTRAR