

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
WEDNESDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND ELEVEN**

:PRESENT:

**THE HON'BLE SRI JUSTICE V.ESWARAIAH
AND**

**THE HON'BLE SRI JUSTICE K.S.APPA RAO
WPMP.NO:42240 of 2011**

IN

WP.NO:33950 of 2011

Between:

- 1 SiddabloinaLaxminarayana S/o. Sammaiah, secondary Grade Teacher, MPPS., D.S. Thanda, Narmetta(M), Warangal District
- 2 PulsamSrinivas S/o. Kommalu, School Assistant (Bio_Science),Govt. Ashram High School, Kannaigudem, Eturunagaram, Warangal District
- 3 KalthiSrinivas S/o. Veeriah, School Assistant (Arts),Govt. Ashram High School,Mangapeta(M), Warangal Dist.
- 4 VasamSarangapani S/o. Kommaiah, School Assistant, Mathematics, Govt. Ashram High School,Karlapalli, Govindaraopeta Mandal, Warangal District
- 5 PulasamSambaiah S/o. Butchiramulu, School Assistant (Arts), Govt. Ashram High School,Sadireddypalli,Kothaguda(M), WarangalDistrict
- 6 TholemDevadas S/o. Laxmaiah, School Assistant Mathematics, Govt. Ashram High School, Kothaguda, KothagudaMandal, Warangal District
- 7 E. Ramesh S/o. Ummaiah, School Assistant , Govt. Ashram High School,Kothaguda, KothagudaMandal, Warangal District
- 8 K. Srinivas S/o. Gadaiah, School Assistant (Telugu), Govt.Ashram HighSchool, Gangaram, Kothaguda(M), Warangal District
- 9 Ch. Papaiah S/o. Narsaiah, School Assistant (Social), Govt.Ashram HighSchool,Gangaram, Kothaguda(M), Warangal Dist..
- 10 PoduguNarsaiah S/o. Venkataiah, School Assistant (Social), Govt.AshramHigh School, Gudur, GudurMandal, Warangal Dist.
- 11 Made NageswaraRao S/o. Butchaiah, School Assistant (Arts), Govt. AshramHigh School, Chinnaboinapalli, Eturunagaram(M), District
- 12 Thati Ramesh S/o. Lachaiiah, School Assistant (Bio-Science), Govt. AshramHigh School, AkulavariGhanapur, Eturunagaram (M), Warangal District
- 13 KodiRavinder S/o. Narsaiah, School Assistant (Mathematics), Govt. Ashram High School,Tadavai, Tadavai (M), Warangal Dist.
- 14 SiddabloinaBikshamaiah S/o. Narsaiah, Secondary Grade Teacher,Girijana Primary School,Routhugudem, Kothaguda (M), Warangal District
- 15 PunemPurnachadarRao S/o. Sammaiah, Secondary Grade Teacher, Girijana Primary School, VelubelliThanda, Kothaguda (M) Warangal District
- 16 SuvarnapakaPaparao S/o. Sundariah, Secondary Grade Teacher, AshramaUpper Primary School, T.W., Kamaram, Kothaguda (M), Warangal District
- 17 PodemPaparao S/o. Venkataiah, School Assistant Mathematics,Govt. Ashram High School,Tadavai, TadavaiMandal, Warangal District
(All the Petitioners belongs to Schedule Tribes)

...Petitioners

(Petitioners in WP 33950 of 2011on the file of High Court)

AND

- 1 Government of Andhra Pradesh Rep by its Principal Secretary, Tribal Welfare Department, Secretariat, Hyderabad
- 2 The Commissioner of Tribal Welfare, D.S. SamkshemaBhavan, Masab Tank, Hyderabad 500 028
- 3 The Project Officer, ITDA, Paderu, Visakhapatnam District 531098
- 4 The Deputy Director of Tribal Welfare, ITDA, Paderu, Visakhapatnam District- 531098.
- 5 T. NageswaraRao, School Assistant (Bio-Science), GAGH School, Kothaballuguda, Arukvally(M), Visakhapatnam
- 6 T. NageswaraRao, School Assistant (Bio-Science), TWAH School, Sukuru, Visakhapatnam District R/o. Kanteli(vill) Visakhapatnam District
- 7 B. RamchandraRao S/o. Satyanarayana, P.G.Headmaster, C.A. High School, P. MakavaramKoyyurMandal, Visakhapatnam District R/o. Koyyur
- 8 K.M.M. Sulakshini D/o. Satyanarayana, P.G.Headmaster,C.A.H. HighSchool, Girls, Paderu, PaderuMandal, Visakhapatnam District R/o. Paderu
- 9 G. BapiRaju S/o. NookaRaju, P.G.Headmaster,T.W.A.H. School,Turakalavalasa, Pedaboyalu (M), Visakhapatnam District R/o. Pedaboyalu
- 10 V. Surya Kumari D/o. V. Rama Rao, P.G.Headmaster,C.A.H. School, BoysPaderu, PaderuMandal, Visakhapatnam District R/o. Paderu,
- 11 L. Ramulu S/o. Polipally, P.G.Headmaster,C.A.H. School, Chilakalagadda, AnantagiriMandal, Visakhapatnam District R/o. Anantagiri
- 12 M. VasudevaRao S/o. SeetharamaSuri, P.G.Headmaster, T.W.A.H.School, Noorumati, Noorumati (M), Visakhapatnam Dist R/o. Noorumati
- 13 M. SanyasiRao S/o. Suryanarayana Murthy, P.G.Headmaster, C.A.H.School Girls, G.K.Veedhi (M), Visakhapatnam District. R/o. G.K. Veedhi
- 14 The A.P. Administrative Tribunal, Rep by its Registrar, Purani Haveli,Hyderabad

...Respondent(s)
(Respondents in-do-)

Counsel for the Petitioners : SRI P.V. RAMANA
Counsel for the Respondents No. 1 to 4 : GP FOR SERVICES III

Petition under Section 151 of C.P.C. Praying that in the circumstances stated in the affidavit filed in W.P. the High Court may be pleased to issue an interim direction suspending the orders passed by the Hon'ble A.P. Administrative Tribunal in O.A.No. 282 of 2010 with VMA No. 2669/2010 dt.28.11.2011, pending WP No. 33950 of 2011 on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

Learned Government Pleader for Services III takes notice for the respondents 1 to 4. Issue notice to the respondents 5 to 13. Learned counsel for the petitioners is permitted to take out personal notice on the respondents 5 to 13 by Regd. Post Ack. Due and file proof of service.

Interim suspension as prayed for.

As per the orders of the Government in GO Ms. No. 3 Social Welfare (TW.EDN.II) Department dated 10.1.2000 and as per the clarification issued by the Government vide Memo No. 9200/TW.Ser.III/A1/2009 dated 19.12.2009, all the posts of teachers in the schools situated in scheduled areas in the State of Andhra Pradesh shall be filled up by the local scheduled tribe candidates out of which 33 1/3% shall be women. We make it clear that insofar as the promotional posts are concerned, if the local scheduled tribe candidates are not available, the other candidates whether tribal or non-tribal from out side the scheduled areas of the school shall be considered, pending further orders.

//TRUE COPY//

ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

- 1 The Principal Secretary, Tribal Welfare Department, Secretariat, Hyderabad
- 2 The Commissioner of Tribal Welfare, D.S. SamkshemaBhavan, Masab Tank, Hyderabad 500 028
- 3 The Project Officer, ITDA, Paderu, Visakhapatnam District 531098
- 4 The Deputy Director of Tribal Welfare, ITDA, Paderu, Visakhapatnam District- 531098.
- 5 T. NageswaraRao, School Assistant (Bio-Science), GAGH School, Kothaballuguda, ArukvallyMandal, Visakhapatnam
- 6 T. NageswaraRao, School Assistant (Bio-Science), TWAH School, Sukuru, Visakhapatnam District R/o. Kanteli (Vill), Visakhapatnam District
- 7 B. RamchandraRao S/o. Satyanarayana, P.G.Headmaster, C.A. HighSchool, P. MakavaramKoyyurMandal, Visakhapatnam District R/o. Koyyur
- 8 K.M.M. Sulakshini D/o. Satyanarayana, P.G.Headmaster, C.A.H. High School, Girls, Paderu, PaderuMandal, Visakhapatnam District R/o. Paderu
- 9 G. BapiRaju S/o. NookaRaju, P.G.Headmaster, T.W.A.H. School, Turakalavalasa, Pedaboyalu (M), Visakhapatnam District R/o. Pedaboyalu
- 10 V. Surya Kumari D/o. V. Rama Rao, P.G.Headmaster, C.A.H. School, Boys, Paderu, PaderuMandal, Visakhapatnam District R/o. Paderu,
- 11 L. Ramulu S/o. Polipally, P.G.Headmaster, C.A.H. School, Chilakalagadda, AnantagiriMandal, Visakhapatnam District R/o. Anantagiri
- 12 M. VasudevaRao S/o. SeetharamaSuri, P.G.Headmaster, T.W.A.H.School, Noorumati, Noorumati (M), Visakhapatnam Dist R/o. Noorumati
- 13 M. SanyasiRao S/o. Suryanarayana Murthy, P.G.Headmaster, C.A.H.School Girls, G.K.Veedhi, G.K.Veedhi (M), Visakhapatnam District.R/o. G.K. Veedhi
- 14 The Registrar, A.P. Administrative Tribunal, Purani Haveli, Hyderabad.(1 to 14 by RPAD)
- 15 Two CCs to the G.P. for Service II, High court of A.P.Hyd.(O.UT)
- 16 One C.C.to Sri P.V.Ramana, Advocate. (OPUC)
- 17 Two spare copies.

BJLB

HIGH COURT

VE, J & KSAR, J

DATE: 28-12-2011

ORDER

WPMP. NO. 42240 OF 2011

IN

WP. NO. 33950 OF 2011

DIRECTION

DRAFTED: BJLB
Dated: 30-12-2011
HIGH COURT

VE, J & KSAR, J

DATE: 28-12-2011

ORDER

WPMP. NO. 42240 OF 2011

IN

WP. NO. 33950 OF 2011

DIRECTION