

THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

Writ Petition No.23451 of 2010

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ORDER:

The 1st respondent issued a notification dated 09-02-2008 inviting applications for selection and appointment of Multi Purpose Health Assistants (Woman) on contract basis. The petitioner submitted her application for a post in Warangal District.

Her grievance is that the respondents are not considering her case on the ground that she is not a local candidate. It is urged that even according to the guidelines issued by the respondents, in addition to the place of study, the place of residence can also be taken into account. She contends that though she studied up to SSC in a school in Nalgonda District, she is residing for the past more than 10 years in Warangal District, after her marriage.

Heard the learned counsel for the petitioner and learned Standing Counsel for the respondents.

Two notifications were issued, almost for the same purpose. The respondents proposed to appoint Health Assistants on contractual basis. Though it cannot be said to be a post in the Government service, covered by the A.P. State Subordinate Service Rules, the respondents have chosen to apply the principles underlying the Public Employment (as per Organization of Local Cadres) and Regulation of Director Order, 1975. Once that of a local candidate is introduced, the criteria therefor need to be followed. A local candidate for this purpose would be the one, who have studied in the concerned local area for a period of four years, preceding the qualifying examination. In the absence of that, seven years of study would be taken into account, and verified as to whether the candidate has

studied for a major portion of that period in the local area. The place of residence does not at all become relevant in this context. Communication to this effect, however, was given in a notification dated 06-02-2007, issued by the 1st respondent, which obviously is erroneous. Admittedly, the petitioner has undergone her entire study in Nalgonda District, and she cannot be treated as a local candidate for Warangal District, for the said post.

Hence, the writ petition is dismissed. There shall be no order as to costs.

L. NARASIMHA REDDY, J.

Dt.22-09-2010

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