IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY,THE EIGHTH DAY OF SEPTEMBER TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH AND THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT APPEAL NO: 983 OF 2025

Writ Appeal under clause 15 of the Letters Patent Preferred Against Order Dated 20/03/2025 Passed in WP.No. 10086 of 2017. on the file of the High Court.

Between:

The Telangana State Level Police Recruitment Board, Rep. by its Chairman, Lakdikapool, Hyderabad.

...APPELLANT

AND

1. K. Sangeetha (Registration No. 136014), D/o Sailu, aged about 30 years, Unemployed Youth, R/o H. No. 15-3-78/2, Gowliguda, Hyderabad.

...RESPONDENT/WRIT PETITIONER

2. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat Buildings, Secretariat, Hyderabad - 500 022.

   (R2 is Formal Party)

...RESPONDENT/RESPONDENT No.1

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the order dated 20/03/2025 passed in WP No. 10086 of 2017 by the learned Single Judge pending disposal of the main Writ Appeal

Counsel for the Appellant: SRI. M V RAMA RAO (SC FOR TSLPRB)
Counsel for the Respondent No.1: SRI PRATAP NARAYAN REPRESENTING FOR SRI AVADESH NARAYAN SANGHI

Counsel for the Respondent No.2: GP FOR HOME
The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

Writ Appeal No.983 of 2025

JUDGMENT:

Heard Mr.M.V.Rama Rao, learned Standing Counsel for the Telangana State Level Police Recruitment Board, for the appellant and Mr.Pratap Narayan Sanghi, learned counsel represents Mr.Avadesh Narayan Sanghi, learned counsel for respondent No.1.

2. The appellant-Telangana State Level Police Recruitment Board (for short, 'the Board')/respondent No.2 in W.P.No.10086 of 2017 is aggrieved by the direction of the learned writ Court to consider the writ petitioner, respondent No.1 herein, as a local candidate to Hyderabad District and review her eligibility for selection to the post of Stipendiary Cadet Trainee (SCT) Police Constable (AR) under Post Code No.22, in the SC (Women-Local) category, in accordance with law and merit position.

3. According to the appellant-Board, the writ petitioner, a Scheduled Caste (SC) candidate, ought to have studied for last four years in the relevant qualifying examination i.e. SSC, as prescribed in Clause (11)-Minimum Educational Qualification under notification dated 31.12.2015 issued by the appellant-Board for being eligible as a local candidate of Hyderabad District.

4. Learned counsel for the appellant-Board has drawn the attention of this Court to Para 7 of the Andhra Pradesh Public Employment (Organisation of Local Cadres and Regulation of Direct Recruitment) Order, 1975 (for short, 'the Presidential Order'), specifically sub-clauses (1)(a)(i) and (2) and also Explanation (ii) thereof, which defines the relevant qualifying examination in relation to a post.

5. According to the appellant-Board, since an SC candidate has to pass SSC or its equivalent examination only, petitioner having not studied in the District of Hyderabad for the last four years preceding thereto, was not treated as eligible local candidate. He submits that the minimum educational qualification for SC candidate

should be read as pass in SSC or its equivalent examination, as the relevant qualifying examination to the post in question.

6. Learned counsel for the appellant-Board submits that for candidates of all categories, the intermediate or its equivalent examination is to be treated as relevant qualifying examination in relation to the post in question.

7. Learned counsel for the writ petitioner has given a different interpretation to Para 7 of the Presidential Order and the Explanation thereto relied upon by the appellant-Board. He submits that the minimum educational qualification for an SC candidate, like the petitioner, as on 01.07.2015, is that he/she should pass SSC or its equivalent examination recognised by the Board and should have studied intermediate and appeared for the intermediate examination in both the first and second years. Writ Petitioner has not only studied the intermediate first and second years but also had passed. She has studied for five years in that process in the local area of Hyderabad to which her candidature should be considered.

8. It is apposite to extract Para 7 of the Presidential Order hereunder:

"**Para 7. Local candidate**:-

(1) A candidate for direct recruitment to any post shall be regarded as a local candidate in relation to a local area -

(a) in cases where a minimum educational qualification has been prescribed for recruitment to the post –

(i) if he has studied in an educational institution or educational institutions in such local area for a period of not less than four consecutive academic years ending with the academic year in which he appeared or, as the case may be, first appeared for the relevant qualifying examination; or

(ii) where during the whole or any part of the four consecutive academic years ending with the academic year in which he appeared or as the case may be, first appeared for the relevant qualifying examination he has not studied in any educational institution, if he has resided in that local area for a period of not less than four years immediately preceding the date of commencement of the qualifying examination in which he appeared or as the case may be, first appeared.

(b) In cases where no minimum educational qualification has been prescribed for recruitment to the post, if he has resided in that local area for a period of not less than four years immediately preceding the date on which the post is notified for recruitment.

(c) In cases where visually handicapped and hearing handicapped persons studied in the special schools meant for them, the native place of the parents of such visually handicapped and hearing handicapped persons.

(2) A candidate for direct recruitment to any post who is not regarded as a local candidate under sub-paragraph (1) in relation to any local area, shall –

(a) In cases where a minimum educational qualification has been prescribed for recruitment to the post –

(i) if he has studied in educational institutions in the State for a period of not less than seven consecutive academic years ending with the academic year in which he appeared or, as the case may be, first appeared for the relevant qualifying examination, be regarded as local candidate in relation to –

(1) such local area where he has studied for the maximum period out of the said period of seven years; or

(2) where the period of his study in two or more local areas are equal, such local areas where he has studied last in such equal periods;

(ii) if, during the whole or any part of the seven consecutive academic years ending with the academic year in which he appeared or, as the case may be, first appeared for the relevant qualifying examination, he has not studied in the educational institutions in any local area, but has resided in the State during the whole of the said period of seven years, be regarded as a local candidate in relation to –

(1) such local area where he has resided for a maximum period out of the said period of seven years; or

(2) where the periods of his residence in two or more local areas are equal, such local area where he has resided last in such equal periods;

(b) in cases where no minimum educational qualification has been prescribed for recruitment to the post, if he has resided in the State for a period of not less than seven years immediately preceding the date on which the post is notified for recruitment, be regarded as a local candidate in relation to –

(i) such local area where he has resided for the maximum period out of the said period of seven years; or

(ii) where the periods of his residence is two or more local areas are equal such local area where he has resided last in such equal periods.

Explanation:- For the purposes of this paragraph-

(i) *'educational institution'* means a University or any educational institution recognised by the State Government, a University or other competent authority;

(ii) *'relevant qualifying examination'* in relation to a post means –

(A) The examination, a pass in which is the minimum educational qualification prescribed for the post;

(B) The Matriculation examination or an examination declared by the State Government to be equivalent to the Matriculation examination;

whichever is lower;

(iii) in reckoning the consecutive academic years during which a candidate has studied, any period of interruption of his study by reason of his failure to pass any examination shall be disregarded;

(iv) the question whether any candidate for direct recruitment to any post has resided in any local area shall be determined with reference to the places where the candidate actually resided and not with reference to the residence of his parents or other Guardian."

9. Upon due consideration of the submissions of the learned counsel for the parties and the definition of 'local candidate' laid down in Para 7 of the Presidential Order, we are of the view that the minimum educational qualification prescribed in the notification dated 31.12.2015 for an SC or an ST candidate is not only SSC or its equivalent examination recognised by the Telangana State Government, but such candidate should have also studied intermediate and appeared for the intermediate examination in both the first and second years. The only

difference in respect of SC or ST candidates as obvious from Clause 11 of the notification dated 31.12.2015 is that insistence upon holding intermediate or its equivalent examination is not a requirement as in the case of other candidates. That way, if the relevant clause prescribing minimum educational qualification is to be understood in the context of the definition of 'local candidate' under Para 7 of the Presidential Order and the explanation (ii) thereof, it cannot be said that passing of SSC or its equivalent examination is the minimum educational qualification for recruitment to the post in question. Had it been so, there was no necessity at a later part of the clause starting from 'and' which requires SC/ST candidates, to have studied intermediate and appeared for intermediate in both first and second years.

10. Clause 11 of notification dated 31.12.2015 is quoted as under:

> "11) **Minimum Educational Qualification:** The candidate must hold, as on 1st July, 2015, Intermediate or its equivalent examination recognised by the State Government. In the case of a candidate belonging to Scheduled Castes or Scheduled Tribes, as on 1st July, 2015, he/she must have passed SSC or its equivalent examination recognised by the Telangana State Government and

should have studied Intermediate and appeared for the Intermediate Examination in, both the 1st year and 2nd year."

11. In the instant case, the writ petitioner has not only studied in both the years of intermediate but had also passed and in that process, she has studied in the local area of Hyderabad five years consecutively, as per Clause 7 of the Presidential Order. For the above reasons, though they are not part of the findings of the learned writ Court, we do not find any error to interfere with the impugned order.

12. The instant Writ Appeal is accordingly dismissed. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/-MOHD. ISMAIL
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. M V RAMA RAO (SC FOR TSLPRB) [OPUC]
2. One CC to SRI. AVADESH NARAYAN SANGHI Advocate [OPUC]
3. Two CCs to GP for Home, High Court for the State of Telangana at Hyderabad. [OUT]
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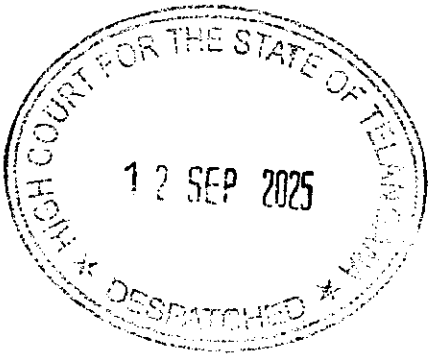
KKS
BS

HIGH COURT

DATED:08/09/2025

JUDGMENT

WA.No.983 of 2025



DISMISSING THE WRIT APPEAL WITHOUT COSTS

(7) kpr
12/9/25