IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE CHIEF JUSTICE APARESH KUMAR SINGH
AND

THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT PETITION NO: 25438 OF 2025

Between:

S Rajeshwar, S/o S Venkat Narayana, Age about 43 years, Occ Secondary Grade Teacher, M.P.P.S. Pothireddypally Thanda Medak District. T.S. (ID No1815502

.....PETITIONER

AND

1. The Director of School Education, State of Telangana, Hyderabad.
2. The State of Telangana, Represented by its Principal Secretary to Government, School Education Department, Secretariat Buildings, Hyderabad.

.....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 a writ, order or direction, more particularly one in the nature of a writ of Mandamus declaring the Rule 5(v) read with qualification prescribed for the post of Headmasters of Primary School (LFL) at Sl. No.18 insofar as it relates to prescribing only D.Ed. qualification and not prescribing B.Ed. qualification in G.O.Ms. No.12 School Education (Ser.II) Department dated 23.01.2009 i.e. Telangana School Educational Subordinate Service Rules (Adhoc Rules) also as arbitrary, illegal, discriminatory, unconstitutional and violating Articles 14, 16 and 21 of the Constitution of India and further impugns the action of the respondents not considering the cases of the petitioner and other Secondary Grade Teachers who possessed B.Ed. qualification for promotion to the post of LFL Headmasters

possessed B.Ed. qualification for promotion to the post of LFL Headmasters as equally arbitrary, illegal, discriminatory, unconstitutional, violating Part-III of the Constitution of India and issue consequential directions directing the Respondents to forthwith consider case of the petitioner and Secondary Grade Teachers who possessed B.Ed. qualification also for promotion to the post of LFL Headmasters along with Secondary Grade Teachers who possessed D.Ed. qualification, if necessary issuing a declaration to the effect that Secondary Grade Teachers who possessed B.Ed. qualification also eligible and entitled for promotion to the post of LFL Headmasters under Rule 5 of G.O.Ms. No.12 School Education Department dated 23.01.2009 i.e. Telangana School Educational Subordinate Service Rules (Adhoc Rules) for the post of Teachers in Mandal Praja Parishad and Zilla Praja Parishad.

I.A.NO:1 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 direct the respondents to forthwith consider the case of the petitioner and Secondary Grade Teachers who possessed B.Ed. qualification also to the post of Headmaster of Primary School (LFL) as per seniority along with Secondary Grade Teachers who possessed D.Ed. qualification i.e. Diploma in Education, pending disposal of the writ petition.

Counsel for the Petitioner : SRI P.V.KRISHNAIAH

Counsel for the Respondents : SRI S.SATYANARAYANA RAO, GP FOR SERVICES- I

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 Petition No.25438 of 2025

Order:

Heard Mr. P.V.Krishnaiah, learned counsel for the petitioner and Mr. Santhapur Satyanarayana Rao, learned Government Pleader for Services-I appearing for respondents No.1 and 2.

2. The same petitioner- S.Rajeshwar has earlier preferred a Writ Petition being W.P.No.15015 of 2024 along with several other petitioners, which is pending before the learned Single Judge. In the said Writ Petition, he along with other petitioners had sought for declaration that the action of the respondents, in not considering their case for promotion to the post of Head Master of Primary School (I.FL.) on the ground that they possessed B.Ed qualification, is highly arbitrary, illegal, discriminatory, *mala fide,* unconstitutional, violative of Articles 14, 16 and 21 of the Constitution of India and contrary

to G.O.Ms.No.12 School Education (Ser.II) Department dated 23.01.2009. They have also sought for issuance of a consequential direction to the respondents to forthwith consider and promote them to the post of Head Master of Primary School (LFL) along with Secondary Grade Teachers, who possessed Intermediate with D.Ed qualification.

3. Order dated 13.06.2024, which has been passed by the learned writ court, reads as under:

> "Notice before admission.
>
> Learned Government Pleader for Services takes notice for the respondents, waives further notice and seeks time to file counter.
>
> In view of this waiver, Registry is directed not to take out notices to the respondents.
>
> Post on 25.07.2024 for counter.
>
> Pending writ petition, the respondents are directed to consider the case of the petitioners for promotion to the post of Headmaster of Primary School (LFL) as per the Rules issued in G.O.Ms.No.12, School Education (Ser.II) Department, dated 23.01.2009, if they are

otherwise eligible."

4. During the pendency of the said writ petition, the petitioner has preferred this Writ Petition amenable to the jurisdiction of the Division Bench of this Court, challenging the *vires* of same G.O.Ms.No.12 School Education (Ser.II) Department dated 23.01.2009, as illegal arbitrary, discriminatory, unconstitutional and violative of Articles 14, 16 and 21 of the Constitution of India. He has also prayed for declaration that Rule 5(v) of Adhoc Rules, contained in G.O.Ms.No.12 School Education (SER.II) Department dated 23.01.2009, insofar as it relates to qualification prescribed for the post of Head Master of Primary School (LFL) at Serial No.18 as only D.Ed. and not B.Ed, is arbitrary, illegal and discriminatory.

5. We have considered the submissions of learned counsel for the petitioner as well as the State.

6. At the outset, we would like to indicate that such a recourse on the part of a litigant to prefer separate writ petitions in respect of the same grievance should not be encouraged. It not only would lead to conflict of decisions, but the approach of preferring separate writ petitions is also not proper. If the petitioner was aggrieved by G.O.Ms.No.12 School Education (SER.II) Department dated 23.01.2009, it was open for him to challenge it in the same writ petition, if necessary, by way of an amendment. Learned Single Judge, in fact, by interim order dated 13.06.2024, has directed the respondents to consider the case of the petitioners therein for promotion to the post of Head Master of Primary School (LFL) as per G.O.Ms.No.12 School Education (Ser.II) Department dated 23.01.2009. It appears that in respect of the same issue for promotion to the post of Head Master of Primary School (LFL), other writ petitions have been preferred by other persons such as W.P.Nos.3495 of 2023 and 25100 of 2023, in which interim orders have been passed and the

matters are pending. As such, all such writ petitions, which relate to the same issue and cause of action, should be heard analogously so that it may not lead to conflict of decisions.

7. Registry is directed to ascertain as to the pendency of similar writ petitions and place a note before the concerned Single Bench so that the matters can be assigned to one Bench and be heard and decided together.

8. Accordingly, the instant Writ Petition is dismissed. No costs.

As a sequel, miscellaneous petitions, pending if any, stand closed.

SD/- U.SUDHA
ASSISTANT REGISTRAR

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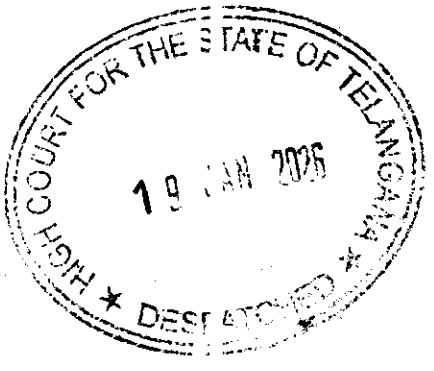
SECTION OFFICER

To
1. Two CCs to GP FOR SERVICES-I, High Court for the State of Telangana at Hyderabad. [OUT]
2. One CC to SRI P.V.KRISHNAIAH, Advocate [OPUC]
3. Two CD Copies

SA
TKS
CHR

HIGH COURT

DATED:26/08/2025



ORDER

WP.No.25438 of 2025

DISMISSING THE W.P

WITHOUT COSTS.

(6) CHR
6/12/25