HIGH COURT OF ANDHRA PRADESH AT AMARAVATI NOTIFICATION NO.5/2019-RC, DATED 15.07.2019

Ref: 1. Notification No.5/2019-RC, dated 17.06.2019 issued inviting applications for appointment to 38 posts of Civil Judge (Junior Division) for the year 2019.

2. Interim order dated 15.07.2019 in I.A.No.1/2019 in W.P.Nos. 9132, 9139, 9140, 9142, 9148, 9153, 9158, 9166, 9164, 9169, 9168, 9170 and 9152 of 2019 of the Hon'ble High Court of Andhra Pradesh.

It is hereby informed that pursuant to the orders of the Hon'ble High Court under references 2nd cited, the petitioners who are not having three (3) years of practice as an 'Advocate' as mentioned in the notification under reference 1st cited, **can also apply to the post of Civil Judge** (Junior Division) by direct recruitment through 'Online', however, their application to the post of Civil Judge (Junior Division) will be subject to result of the writ petition and the writ petitioners shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case if the petitioners qualify the preliminary examination, and the said candidates have to upload the attested copy of certificate in proof of their passing LL.B. course, while filling up of application through 'Online'.

The operative portion of the order dated 15.07.2019 in IA No.1/2019 in W.P.Nos. 9132, 9139, 9140, 9142, 9148, 9153, 9158, 9166, 9164, 9169, 9168, 9170 and 9152 of 2019 of the Hon'ble High Court of Andhra Pradesh reads as follows:-

"xxxx"

XXXXX

XXXXX

XXXX

"Accordingly, the respondent authorities are directed to accept the online applications of the petitioners, if it is otherwise found to be in order and permit them to attend the examination.

Contd...2

Any selection made in respect of petitioners shall be subject to the result of the writ petitions and petitioners shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case if petitioners qualify the preliminary examination.

Post after three weeks.

Meanwhile, counters to be filed".

NOTE: IT IS FURTHER INFORMED TO THE WRIT PETITONERS
THEY SHALL CONTACT THE HELP DESK PROVIDED AT THE
A.P. HIGH COURT FOR PROCESSING THEIR ONLINE
APPLICATION WITH IN THE DUE DATE.

Help Desk land Line Telephone No. 0863-2372752 Mobile Nos. 9494297357, 9177263232

Timings: 10-00 a.m. to 8-00 p.m.

REGISTRAR (RECRUITMENT)

15/1/219 KHB

HIGH COURT OF ANDHRA PRADESH MONDAY, THE FIFTEENTH DAY OF JULY TWO THOUSAND AND NINETEEN

:PRESENT:

THE HON'BLE THE ACTING CHIEF JUSTICE SRI C. PRAVEEN KUMAR AND AND THE HON'BLE SRI JUSTICE M. SATYANARAYNA MURTHI

WRIT PETITION NO: 9139 OF 2019

Between:

- Makarla Poojitha, D/o. M.Narayana, Aged about 24 years, Occ: Advocate, R/o. H.No:8-9 Nethaji Nagar, Bandlaguda, Ramachdrapuram (Mandal), Sangareddy District, T.S.
- 2. Gurram Divya, D/o. G.Buchibabu, Aged 24 years, Occ: Advocate, R/o. Gandhi Nagar, vanasthalipuram, Hyderabad.
- 3. K.Afreen, D/o. Imtiyaz, Aged about 27 years, Occ: Advocate, R/o. H.No:4-60, Basini Konda, Nimmannapalli, Madhanapalli, Chittoor District, A.P.
- 4. B.Sampath, S/o.Venkateshwarlu, Age:26 years, R/o. H.No:28-863, Vidyanagar, Miryalaguda, Nalgonda District, T.S.
- 5. Avula Sunitha, D/o:Suryanarayana, Aged 28 years, Occ: Advocate, R/o. H.No.203, Model Apaparment Houses, Gayatriestate, Kurnool(District).
- 6. Maddula Jahnavi, D/o. M.V.N.Prasad, Aged 23 years, R/o. D.No. 25-1-32, LIG-2, 41, APHB Colony, Nippo Back side, Nellore- 524004.
- 7. J.Jyothi Sankar, S/o. J.Nagaraju, Aged 24 years, Occ: Advocate, R/o. D.No. 26-3-62, BV Nagar, Nr. KNRM High School, 2nd street, Nellore, A.P.
- 8. E.Apoorva, D/o. E.Rajender, Aged about 24 years, OCc: Advocate, R/o. #7-18/8, FCI Colony, Mancherial, T.S.
- 9. Belem Jawahar Babu, S/o. B.Suryanarayana, Aged bout 25 years, Occ: Advocate, R/o. MIG-58, APHB Colony, Pedagantyada, Visakhapatnam, A.P.
- 10. Sampari Sasi Venkata Kanthi,



D/o. S.Somaraju, Aged 26 years, Occ: Advocate, R/o. MIG-6, R&B Quarters, Seethamma Dhara, Visakhapatham, A.P.

- 11. B.Bhavana, D/o. B.Murali Manohar, Aged about 27 years, Occ: Advocate, R/o. H.No. 39-7-D/10, KVR Gardens, Park Road, Kurnool, A.P.
- 12. K.Neeraja D/o K. Krishna Rao, Aged 27 years, R/o Flat no: 205, Waltair heights apartments, AU out gate down, Visakhapatnam, 530017, Andhra Pradesh.
- 13. Kilari Veera Venkata Satya Narayana S/o. K.Krishna Rao, Aged 23years, R/o Flat no: 205, Waltair Heights Apartments, AU out gate down, Visakhapatnam, 5300₁7, Andhra Pradesh.
- 14. Medisetti BalaSubramanyam, S/o M.Govind, Aged 25 years, Door No: 3-34, Kannadathota village, Ramachandrapuram Mandal, East Godavari Dist., A.P.
- 15. A.Maheeswaree D/o A. MallikarjunaRoa, Aged 34 years, R/o Door No. 40-1-22, Miriyalapalem, Trunk Road, Ongole, A.P.
- 16. N.V.H.Pujitha, D/o N.Srinivasa Rao, Aged 24 years, R/o Flat No: G2, ShyamalaNivasAppartments, Near Devi multiplex theatre, Kakinada.
- 17. Nekkala Mohitha D/o. Narasinga Rao, Aged 23 years, R/o. Door No: 11/90, Parwada, B.C. Colony, Visakhapatnam, A.P.
- 18. M.Sai Subash S/o. M.Hari Narayana, Aged 22 years, R/o. Gooty, Ananthapur District, Andhra Pradesh.
- 19. Meesala Suneel S/o. Murali Mohan Rao, Aged 25 years, Door No: 5-182/2, Vivekananda nagar, Old Dairy Farm, Visakhapatnam-40, Andhra Pradesh.
- 20. Chinagodaba Sri Vidya, D/o Ch. Tirumala Rao, Aged 22 years, R/o Flat No: 203 A- Block, Sukriti Appartments, Sheela Nagar, BHPV Post, Vishakapatnam, 530012, Andhra Pradesh.

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- 21. Naramreddy Nikhil Reddy S/o. NaramreddySubbarayudu, Aged 22 years, Door. No: 4-2-204, NDR Layout, Usman Saheb Pet, Nellore, A.P. - 524002
- 22. K. Divyasree D/o. K.V.V. Subbarao, Aged 25 years, R/o. 14-37-44/A,

- Opp. Collector office, In Krishna Nagar, Maharanipeta, Visakhapatnam- 530002, A.P.
- 23. Marripati Sruthi D/o. M. Venkataramana, Aged 27 years, R/o. H.No. 1-2-215-15-A, Second floor, Gaganmahal road, Domalguda, Hyderabad- 500029.
- 24. Satyajeet Panigrahi S/o. Lokanath Panigrahi, Aged 24 years, R/o ward 10, Raniguda Farm, Near Ortel office, Rayagada, 765001, Odhisa.
- 25. Sanskriti Mohanty D/o. Dusmanta Kumar, Aged 24 years, R/o. Co-operative colony, 1st lane, Rayagada, Rayagada (K)- 765001, Orissa.
- 26. Brahma Lasya Chittella D/o. Joga Rao Chittela, Aged 23 years, R/o Flat no: 101, Tungabhadra Homes, Opp: Gandhi Towers, Sunkesala Road, Kurnool. 518004, A.P.
- 27. Kola Madhurya D/o. Kola Manohararao, Aged 24 years, R/o 86/303-26, Kamala Nagar-2, Kurnool-518002, A.P.
- 28. V.Sreedevi W/o. Vishnumolakala Lakshmi chenchu Venkata Satya Prasad, Aged 37 years, R/o 1-61/BV/1, Plot no-1, Lalitha Bloom Field, Near Okaridge International School, Khajaguda Village, Serlingampally, Telangana.
- 29. Mutyala Sobhanadri Niadu, S/o. M.Naga Malleswara Rao, Aged 24 years, R/o. A-1, Principal District Judge Quarters, Opps. C.R.Reddy College, Eluru, Narasimharao Peta, West Godavari- 534006, A.P.
- 30. G.Raveena D/o G.Rajendra Vara Prasad, Aged 24years, R/o. D. No. 10-9-14, Dharavari street, Kavali, Nellore District, A.P.
- 31. Nallapati Pavani D/o. N.Srinivasa Rao, Aged 25 years, R/o.D.No: 8-8-7/1, Vendra Canal Road, Bhimavaram, Near Visakoderuvantena, Bhimavaram, West Godavari Dist.- 534201, A.P.
- 32. V.S.N.Lakshmi Lavanya P,
 D/o. Mallikharjuna Rao Pendela,
 W/o. Maddi Murali Krishna,
 Aged 34 years, R/o. H.No. 16-3-3,
 Quarter No. 10, Municipal quarters,
 Paparajutota, Chirala, Prakasam Dist., A.P.
- 33. Bhukya Rama Chandra Kowmudi, W/o. Eislavath Bhim Reddy, Aged 35 years, R/o. #5-30, Batathanda, Upparlapalli,

GootyErragudi, Kurnool, 518390, Andhra Pradesh.

- 34. Pasupuleti Reddy Priyanka D/o. Subba Rayudu, Aged 24 years, R/o. # 4/34, Brahmana Street, Nandalur, YSR Kadapa- 516150, Andhra Pradesh.
- 35. Pedapudi Reetesh Kumar, S/o P.Kanaka Rao, Aged 24 years, R/o. WT- 2, Kanchana Complex, Jammichettucentre, Moghalrajpuram, Vijayawada, Andhra Pradesh.
- 36. GundrePravallika, D/o. G.Venkatrami Reddy, Aged 24 years, R/o. # 37/49-17-1, S.N.Colony, Gunnikuntla Road, Rayachoti, Near Governor kalyanamandapam, Rayachoti, YSR Kadapa- 516269, A.P.
- 37. Padamati Usha Rani D/o. P. Madan Kumar, Aged 24 years, R/o. # 6-302, Chand Nagar, Sri Lanka colony, Vuyyuru, Andhra Pradesh.
- 38. Manyala V.S. Vindhya D/o. M. Krishna Rao, Aged 29years, R/o Flat No. 102, Narayanadri Residency, Plot No 189, Near Swiss Bakers Castle, West Marredpally, Secunderabad, Telangana.

..Petitioners

AND

- The State of Andhra Pradesh, Rep. by its Principal Secretary, Law Department, Secretariat, Secretariat, Velagapudi, Amaravathi, Guntur District, A.P.
- 2. The State of Andhra Pradesh, Rep. by its Chief Secretary, LAW (LA & JSC.F) Department, Secretariat, Velagapudi, Amaravathi, Guntur District, A.P.
- 3. The Registrar, (Recruitment), High Court of Andhra Pradesh, Amaravathi, Andhra Pradesh.

respondent

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 Writ of Mandamus declaring the Rule 5(2)(a)(i) of the Andhra Pradesh Judicial Service Rules, 2007 as amended through G.O.Ms No, 29, dated 28.07.2017, which mandates 3- years practice as an advocate as one of the pre-requisite condition to be eligible for appointment to the category of Civil Judge and in particular, clause III (a) of the recruitment notification No.5/2019-RC dated 17.06.2019 for the post of Civil Judge (Junior Division) issued by the 3rd respondent herein as illegal, unconstitutional, arbitrary and ultra vires and to consequently set aside the same and further direct the respondent herein to forthwith allow the Petitioners herein to appear in the competitive exam for the post of Junior Civil Judge without insisting 3 years experience certificates as notified vide Notification No.5/209-RC, dt 17.06.2019 of the 3rd Respondent herein.

IA NO: 1 OF 2019

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 3rd respondent herein to forthwith allow the petitioners herein to appear in the competitive exam for the post of Junior Civil Judge without insisting 3 years experience as notified vide the Notification No. 5/2019-RC dated 17.06.2019 of the 3rd Respondent herein in the interest of justice, pending disposal of the WP 9139 of 2019, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Surepalli Prashanth Advocate for the Petitioners, GP for Law & Legislative Affairs for the Respondent No.1. and 2 and of A. Sivaiah, Standing Counsel for Respondent No.3, the Court made the following.

ORDER:

Heard the learned counsel for petitioners and the learned Standing Counsel for the Andhra Pradesh High Court.

This writ petition came to be filed challenging Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007, as substituted through amendment vide G.O.Ms.No.29, Law (LA&J-SC.F) Department, dated 28.07.2017, which mandates three years of practice as an Advocate essential to be eligible for appointment to the category of Civil Judge.

It is to be noted that this Court, in similar writ petitions, viz., W.P.Nos.7934, 8692 and 8763 of 2019 filed by the similarly situated persons, laying challenge to the very same Rule noted above, heard both sides and observed that the matter requires hearing in detail since issue involves questions of law, more particularly, the power of the High Court, vis-à-vis the recommendations made by the Apex Court, judgments of different High Courts on the said aspect, the contrary view taken by the Bombay High Court, Chattisgarh High Court and High Court of Calcutta. Having observed so, this Court granted certain interim directions on 12.07.2019, owing to the fact that the

closing date for submission of online application is on 16.7.2019 and test is scheduled to be conducted on 04.08.2019.

In the facts and circumstances, there shall be same interim directions in this case also.

Accordingly, the respondent authorities are directed to accept the online applications of the petitioners, if they are otherwise found to be in order and permit them to attend the examination.

Any selection made in respect of the petitioners shall be subject to the result of the writ petition and the petitioners shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case the petitioners qualify in the preliminary examination.

Post after three weeks.

Meanwhile, counters to be filed.

Sd/- A. SURYA PRAKASH RAO DEPUTY REGISTRAR

//TRUE COPY//

For DEPUTY REGISTRAR

To.

1. The Principal Secretary, Law Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District

2. The Chief Secretary, Law (LA & JSC.F) Department, State of Andhra Padesh, Velagapudi, Amaravathi, Guntur District

- 3. The Registrar (Recruitment), High Court of Andhra Pradesh, Amaravathi (1 to 3 by RPAD)
- 4. One CC to Sri Surepalli Prashanth Advocate [OPUC]

5. One CC to A. Sivaiah, Standing Counsel (OPUC)6. Two CCs to GP for Law Legislative Affairs, High Court Of Andhra Pradesh. [OUT]

7. One spare copy

HACJ & MSMJ

ORDER

DATED:15/07/2019

ORDER

WP.No.9139 of 2019

HIGH COURT OF ANDHRA PRADESH : AMARAVATI

MONDAY, THE FIFTEENTH DAY OF JULY TWO THOUSAND AND NINETEEN

:PRESENT:

THE HON'BLE THE ACTING CHIEF JUSTICE C.PRAVEEN KUMAR AND THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO: 9132 OF 2019

Between:

Kum Reddy Maitraie, D/o. Satyanarayana Murthy

Petitioner

AND

1. The State of Andhra Pradesh, rep .by its Principal Secretary, Law Department, Secretariat, Velagapudi, Andhra Pradesh.

The Registrar (Recruitment), High Court of Andhra Pradesh, Amaravathi, Andhra Pradesh.

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 Writ, Order or Direction more particularly a Writ of Mandamus declaring (a) the amended rule 5 (2) (a) (i) of the Andhra Pradesh State Judicial Service Rules 2007 as unconstitutional, arbitrary and ultra virus and consequently set aside the same (b) Clause III (a) of the notification for the posts of Civil Judge (Junior Division) Vide Notification No. 5/2019-RC, dated 17-6-2019 issued by the 2nd Respondent as unconstitutional, arbitrary and ultra virus and consequently set aside the same (c) Direct the 2nd Respondent to allow the Petitioner to appear in the Competitive Examination for the post of Junior Civil Judge without insisting three years experience certificate under Vide Notification No. 5/2019-RC, dated 17-06-2019 issued by the 2nd Respondent and pass appropriate orders in the interest of justice.

IA NO: 1 OF 2019:

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 2nd Respondent to accept the application of the petitioner to appear in the Competitive Examination for the post of Civil Judges (Junior Division) without insisting three years Experience Certificate in pursuant to Notification No. 5/2019-RC, dated. 17-06-2019, pending disposal of WP No. 9132 of 2019 on the file of the High Court.

The petition coming on for hearing, upon perusing the petition and the affidavit filed herein and upon hearing the arguments of Sri G.Rama Gopal, Advocate for the Petitioner, G.P. for Law for the Respondent No.1 and of Sri A.Sivaiah - S.C. for the Respondent No.2, the Court made the following

ORDER:

" Heard the learned counsel for petitioners and the learned Standing Counsel for the Andhra Pradesh High Court.

This writ petition came to be filed challenging Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007, as substituted through amendment vide G.O.Ms.No.29, Law (LA&J-SC.F) Department, dated 28.07.2017, which mandates three years of practice as an Advocate essential to be eligible for appointment to the category of Civil Judge.

It is to be noted that this Court, in similar writ petitions, viz., W.P.Nos.7934, 8692 and 8763 of 2019 filed by the similarly situated persons, laying challenge to the very same Rule noted above, heard both sides and observed that the matter requires hearing in detail since issue involves questions of law, more particularly, the power of the High Court, vis-à-vis the recommendations made by the Apex Court, judgments of different High Courts on the said aspect, the contrary view taken by the Bombay High Court, Chattisgarh High Court and High Court of Calcutta. Having observed so, this Court granted certain interim directions on 12.07.2019, owing to the fact that the closing date for submission of online application is on 16.7.2019 and test is scheduled to be conducted on 04.08.2019.



In the facts and circumstances, there shall be same interim directions in this case also.

Accordingly, the respondent authorities are directed to accept the online applications of the petitioner, if it is otherwise found to be in order and permit her to

attend the examination.

Any selection made in respect of the petitioner shall be subject to the result of the writ petition and the petitioner shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case the petitioner qualifies in the preliminary examination.

Post after three weeks. Meanwhile, counters to be filed."

Sd/- U. SIVALEELA DEPUTY REGISTRAR

for ASSISTANT REGISTRAR

//TRUE COPY//

To

1. The Principal Secretary, Law Department, State of Andhra Pradesh, Secretariat, Velagapudi, Andhra Pradesh.

2. The Registrar (Recruitment), High Court of Andhra Pradesh, Amaravathi, Andhra Pradesh.

3. Two CCs to G.P. for Law, High Court, A.P.(OUT)

- 4. Two CCs to the Advocate General, High Court, A.P.
- 5. One CC to Sri G.Rama Gopal, Advocate (OPUC)
- 6. One CC to Sri A Sivaiah, Advocate (OPUC)
- 7 Two spare copies.

SAH

HACJ & MSMJ

DATED:15-07-2019

NOTE: POST AFTER THREE WEEKS

ORDER

WP.No.9132 OF 2019

INTERIM DIRECTION



HIGH COURT OF ANDHRA PRADESH : AMARAVATI

MONDAY, THE FIFTEENTH DAY OF JULY TWO THOUSAND AND NINETEEN

:PRESENT:

THE HON'BLE THE ACTING CHIEF JUSTICE C.PRAVEEN KUMAR AND

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO: 9140 OF 2019

Between:

- 1. Madhire Ranga Sai Reddy, S/o. Poli Reddy
- 2. Nidhi Raj, D/o. P.S.Rajan
- 3. Swathi Bhavani Potla
- 4. Konda Uma Naga Ashwathambika, D/o. Konda Sathyanarayana
- 5. Sambari Venkat Sai Sharath Chandra, S/o. Sambari Chandra Mohan
- 6. L.Anil Venkata Babu, S/o. L.Srinivasa Rao

Petitioners

AND

The State of Andhra Pradesh, rep. by its Principal Secretary, Law Department, Secretariat, Velagapudi, Amaravathi, Guntur District, A.P.
 The State of Andhra Pradesh, rep. by its Chief Secretary, LAW (LA & JSCF)

Department, Secretariat, Velagapudi, Amaravathi, Guntur District, A.P.

The Registrar (Recruitment), High Court of Andhra Pradesh, Amaravathi, Andhra Pradesh.

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 Writ of Mandamus declaring Rule 5(2)(a)(i) of the Andhra Pradesh Judicial Service Rules 2007, as substituted through amendment vide G.O.Ms.No.29, dt.28-07-2017, which mandates 3-years practice as an Advocate as one of the essential pre-requisite condition to be eligible for appointment to the category of Civil Judge and in particular, Clause III (a) of the recruitment notification No.5/2019-RC, dt. 17-06-2019, for the post of Civil Judge (Junior Division) issued by the 3rd Respondent herein as illegal, unconstitutional, arbitrary and ultra vires and to consequently set aside the same and further direct the 3rd Respondent herein to forthwith allow the Petitioners herein to appear in the competitive exam for the post of Junior Civil Judge without insisting 3-years experience certificate as notified vide the Notification No. 5/2019-RC, dt. 17-06-2019 of the 3rd Respondent herein.

IA NO: 1 OF 2019:

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 3rd Respondent herein to forthwith allow the Petitioners herein to appear in the competitive exam for the post of Junior Civil Judge without insisting 3-years experience as notified vide the Notification No. 5/2019-RC, dt. 17-06-2019 of the 3rd Respondent herein in the interest of justice, pending disposal of WP No. 9140 of 2019 on the file of the High Court.

The petition coming on for hearing, upon perusing the petition and the affidavit filed herein and upon hearing the arguments of Sri Nomula Srinivas, Advocate for the Petitioners, G.P. for Law for the Respondents 1 & 2 and of Sri A Sivaiah - S.C. for the Respondent No.3, the Court made the following

ORDER:

" Heard the learned counsel for petitioners and the learned Standing Counsel for the Andhra Pradesh High Court.

This writ petition came to be filed challenging Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007, as substituted through amendment vide G.O.Ms.No.29, Law (LA&J-SC.F) Department, dated 28.07.2017, which mandates three years of practice as an Advocate essential to be eligible for appointment to the category of Civil Judge.

It is to be noted that this Court, in similar writ petitions, viz., W.P.Nos.7934, 8692 and 8763 of 2019 filed by the similarly situated persons, laying challenge to the very same Rule noted above, heard both sides and observed that the matter requires hearing in detail since issue involves questions of law, more particularly, the power of the High Court, vis-à-vis the recommendations made by the Apex Court, judgments of different High Courts on the said aspect, the contrary view taken by the Bombay High Court, Chattisgarh High Court and High Court of Calcutta. Having observed so, this Court granted certain interim directions on 12.07.2019, owing to the fact that the closing date for submission of online application is on 16.7.2019 and test is scheduled to be conducted on 04.08.2019.

In the facts and circumstances, there shall be same interim directions in this case also.

Accordingly, the respondent authorities are directed to accept the online applications of the petitioners, if they are otherwise found to be in order and permit them to attend the examination.

Any selection made in respect of the petitioners shall be subject to the result of the writ petition and the petitioners shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case the petitioners qualify in the preliminary examination.

Post after three weeks. Meanwhile, counters to be filed."

> Sd/- U. SIVALEELA DEPUTY REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

- 1. The Principal Secretary, Law Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District, A.P.
- 2. The Chief Secretary, LAW (LA & JSCF) Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District, A.P.
- 3. The Registrar (Recruitment), High Court of Andhra Pradesh, Amaravathi, Andhra Pradesh.
 - 4. Two CCs to G.P. for Law, High Court, A.P.(OUT)
- 5. Two CCs to the Advocate General, High Court, A.P.
- 6. One CC to Sri Nomula Srinivas, Advocate (OPUC)
- 7. One CC to Sri A. Sivaiah, Advocate (OPUC)
- 8 Two spare copies.

SAH

jū.

HACJ & MSMJ

DATED:15-07-2019

NOTE: POST AFTER THREE WEEKS

ORDER

WP.No.9140 OF 2019

INTERIM DIRECTION

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
MONDAY, THE FIFTEENTH DAY OF JULY TWO THOUSAND AND NINETEE
:PRESENT:

THE HONOURABLE THE ACTING CHIEF JUSTICE C.PRAVEEN KUMAR AND

THE HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY WRIT PETITION NO: 9142 OF 2019

Between:

1. J. Lakshmi Charan, D/o. J. Muniraja Naidu, 🗵

2. J. Krishna Charan, D/o. J. Muniraja Naidu,

Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Law Department, Secretariat, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.

2. The State of Andhra Pradesh, Rep. by its Chief Secretary, Law (LA and J-SC.F) Department, Secretariat, Velagapudi, Amaravathi, Guntur District. A.P.

3. The Registrar (Recruitment), High Court of Andhra Pradesh, Amaravathi, Andhra Pradesh.

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 Writ of Mandamus declaring the Rule 5 (2) (a) (i) of the Andhra Pradesh Judicial Service Rules 2007, as substituted through amendment vide G.O.Ms.No. 29, dt.28.07.2017, which mandates 3 years practice as an Advocate as one of the essential pre-requisite condition to be eligible for appointment to the category of Civil Judge and in particular, Clause III (a) of the recruitment notification No. 5/2019-RC, dt. 17-6-2019, for the post of Civil Judge (Junior Division) issued by the 3rd Respondent herein as illegal, unconstitutional, arbitrary and ultravires and to consequently set aside the same and further direct the 3rd Respondent herein to forthwith allow the Petitioners herein to appear in the exam for the post of Junior civil Judge without insisting 3 years experience certificate as notified vide notification No. 5/2019-RC, dt. 17-06-2019 of the 3rd Respondent herein;

IA NO: 1 OF 2019:

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 3rd respondent to allow the Petitioners herein to appear in the competitive exam for the post of Junior Civil Judge without insisting 3 years experience as notified vide Notification No.5/2019-RC dt. 17-06-2019 of the 3rd Respondent herein in the interests of justice, pending disposal of the WP 9142 of 2019, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI J M NAIDU Advocate for the Petitioners, GP FOR LAW for the Respondents 1 & 2 and Sri A_{\downarrow}/S Sivaiah (S.C.) for the Respondent 3, the Court made the following.

ORDER:

Heard the learned counsel for petitioners and the learned Standing Counsel for the Andhra Pradesh High Court.

This writ petition came to be filed challenging Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007, as substituted through amendment vide G.O.Ms.No.29, Law (LA&J-SC.F) Department, dated 28.07.2017, which mandates three years of practice as an Advocate essential to be eligible for appointment to the category of Civil Judge.

It is to be noted that this Court, in similar writ petitions, viz., W.P.Nos.7934, 8692 and 8763 of 2019 filed by the similarly situated persons, laying challenge to the very same Rule noted above, heard both sides and observed that the matter requires hearing in detail since issue involves questions of law, more particularly, the power of the High Court, vis-à-vis the recommendations made by the Apex Court, judgments of different High Courts on the said aspect, the contrary view taken by the Bombay High Court, Chattisgarh High Court and High Court of Calcutta. Having observed so, this Court granted certain interim directions on 12.07.2019, owing to the fact that the closing date for submission of online application is on 16.7.2019 and test is scheduled to be conducted on 04.08.2019.

In the facts and circumstances, there shall be same interim directions in this case also.

Accordingly, the respondent authorities are directed to accept the online applications of the petitioners, if they are otherwise found to be in order and permit them to attend the examination.

Any selection made in respect of the petitioners shall be subject to the result of the writ petition and the petitioners shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case the petitioners qualify in the preliminary examination.

Post after three weeks.

Meanwhile, counters to be filed.

Sd/- U. SIVALEELA DEPUTY REGISTRAR ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

- 1. The Principal Secretary, Law Department, State of Andhra Pradesh, Secretariat, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
- 2. The Chief Secretary, Law (LA and J-SC.F) Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District. A.P. (1 & 2 by RPAD)
- 3. The Registrar (Recruitment), High Court of Andhra Pradesh, Amaravathi, Andhra Pradesh. (by Spl. Messenger)

4. One CC to SRI. J M NAIDU Advocate [OPUC]

5. Two CCs to GP FOR LAW LEGISLATIVE AFFAIRS, High Court Of Andhra Pradesh. [OUT]

6. One CC to SRI. A. SIVAIAH (S.C.) [OPUC]

7. Two CCs to the Advocate General, High Court of Andhra Pradesh

8. one spare copy

HACJ & MSMJ

DATED:15/07/2019

POST AFTER THREE WEEKS

ORDER

WP.No.9142 of 2019

INTERIM DIRECTION

HIGH COURT OF ANDHRA PRADESH

MONDAY ,THE FIFTEENTH DAY OF JULY TWO THOUSAND AND NINETEEN

:PRESENT:

THE HON'BLE THE ACTING CHIEF JUSTICE C. PRAVEEN KUMAR AND THE HON'BLE COLUMNIC MANAGEMYNA MURTIN

AND THE HON'BLE SRI JUSTICE M. SATYANARAYNA MURTHI

WRIT PETITION NO: 9148 OF 2019

Between:

1. Pathivada Manasa, D/o Pathivada Appala Naidu,

2. Chinnala Praveen,, S/o Pakeer Naidu,.

Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Law Department, Secretariat, Velagapudi, Amaravathi, Guntur District 2

2. The Registrar (Recruitment),, High Court of Andhra Pradesh at Amaravathi

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 of mandamus or any other appropriate writ or direction declaring the Rule 5(2)(a)(i) of the Andhra Pradesh Judicial Service Rules, 2007 as amended through G.O.Ms No, 29, dated 28.07.2019, which mandates three years practice as an advocate as one of the pre-requisite condition to be eligible for appointment to the category of Civil Judge (Junior Division) and also clause III (a) of the notification No.5/2019-RC dated 17.06.2019 for the post of Civil Judge (Junior Division) issued by the 2nd respondent herein as arbitrary, illegal, unconstitutional, and discriminatory and consequently set aside the same and further direct the respondent No.2 to forthwith allow the petitioners herein to participate in the selection process for the post of Civil Judge (Junior Division).

IA NO: 1 OF 2019

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 respondent No.2 to forthwith accept the online applications of the petitioners herein to participate in the selection process to the post of Civil Judge (Junior Division), without insisting three years practice as an advocate as pre-requisite condition as notified in Clause III (a) of the Notification No. 5/2019-RC dated 17.06.2019 of the 2nd respondent, pending disposal of the WP 9148 of 2019, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri TADDI SOWMYA NAIDU Advocate for the Petitioners, GP for Law & Legislative Affairs for the Respondent No.1. and of A. Sivaiah, Standing Counsel for Respondent No.2, the Court made the following.

ORDER:

Heard the learned counsel for petitioners and the learned Standing Counsel for the Andhra Pradesh High Court.

This writ petition came to be filed challenging Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007, as substituted through amendment vide G.O.Ms.No.29, Law (LA&J-SC.F) Department, dated 28.07.2017, which mandates three years of practice as an Advocate essential to be eligible for appointment to the category of Civil Judge.

It is to be noted that this Court, in similar writ petitions, viz., W.P.Nos.7934, 8692 and 8763 of 2019 filed by the similarly situated persons, laying challenge to the very same Rule noted above, heard both sides and observed that the matter requires hearing in detail since issue involves questions of law, more particularly, the power of the High Court, vis-à-vis the recommendations made by the Apex Court, judgments of different High Courts on the said aspect, the contrary view taken by the Bombay High Court, Chattisgarh High Court and High Court of Calcutta. Having observed so, this Court granted certain interim directions on 12.07.2019, owing to the fact that the closing date for submission of online application is on 16.7.2019 and test is scheduled to be conducted on 04.08.2019.

In the facts and circumstances, there shall be same interim directions in this case also.

Accordingly, the respondent authorities are directed to accept the online applications of the petitioners, if they are otherwise found to be in order and permit them to attend the examination.

Any selection made in respect of the petitioners shall be subject to the result of the writ petition and the petitioners shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case the petitioners qualify in the preliminary examination.

Post after three weeks.

Meanwhile, counters to be filed.

Sd/- A.V. SURYA PRAKASH RAO DEPUTY REGISTRAR

//TRUE COPY//

For DEPUTY REGISTRAR

To,

 The Principal Secretary, Law Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District

2. The Registrar (Recruitment),, High Court of Andhra Pradesh at Amaravathi (1 & 2 by RPAD)

3. One CC to SRI. TADDI SOWMYA NAIDU, Advocate [OPUC]

4. One CC to A. Sivaiah, Standing Counsel (OPUC)

5.. Two CCs to GP for Law Legislative Affairs, ,High Court Of Andhra Pradesh. [OUT]

One spare copy

HACJ & MSMJ

ORDER

DATED:15/07/2019

ORDER

WP.No.9148 of 2019

HIGH COURT OF ANDHRA PRADESH :: AMARAVATHI

MONDAY ,THE FIFTEENTH DAY OF JULY TWO THOUSAND AND NINETEEN



THE HONOURABLE THE ACTING CHIEF JUSTICE C.PRAVEEN KUMAR AND THE HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO: 9153 OF 2019

Between:

K. Thriveni, D/o David Raju,

Petitioner

AND

- 1. The State of Andhra Pradesh, Rep. by its Law Secretary, Department of Law, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District- 522503.
- 2. The High Court of Andhra Pradesh, at Amaravathi, Rep. by its Registrar, Recruitment Nelapadu, Guntur District- 522202

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 an appropriate writ, direction or order, more particularly one in the nature of Writ of-Mandamus declaring Rule 5(2)(a)(i) of the Andhra Pradesh Judicial Service Rules 2007, as substituted through amendment vide G.O.Ms.No.29, dated 28-07-2017, which mandates 3-years practice as an Advocate as one of the essential pre-requisite conditions to be eligible for appointment to the category of Civil Judge Junior Division and particularly, Clause III (a) of the recruitment notification No.5/2019-RC, Dated 17-06-2019, for the post of Civil Judge (Junior Division) issued by the 2nd Respondent herein as illegal, unconstitutional, arbitrary and ultra vires and to consequentially set aside the same and further direct the 2nd Respondent herein to forthwith allow the petitioner herein to appear in the competitive exam for the post of Junior Civil Judge without insisting on the 3 years experience certificate as notified vide the Notification No.5/2019-RC, Dated17-06-2019 of the 2nd Respondent herein and as relaxed in the notification No.5/2019-RC, Dated12-07- 2019 of the 2nd Respondent herein and pass

IA NO: 1 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in the W.P., the High Court may be pleased to direct the 2nd Respondent herein to forthwith receive online, the uploaded application of the Petitioner herein, and allow her to appear in the competitive exam for the post of Junior Civil Judge without insisting on the 3 years experience as notified vide its Notification No.5/2019-RC, Date: 17-06-2019, and as relaxed vide its Notification No.5/2019-RC, Dated: 12-07-2019, pursuant to the orders of this Court in I.A.No.1/2019 in W.P.No.8763/2019 and Batch dated:12-07-2019 and to pass, Pending disposal of WP 9153 of 2019, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri.SR. Sanku, Advocate for the Petitioner and of GP for Law for Respondent No.1 and Sri. A. Sivaiah, learned Standing Counsel for the Respondent No.2.

ORDER

Heard the learned counsel for petitioner and the learned Standing Counsel for the Andhra Pradesh High Court.

This writ petition came to be filed challenging Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007, as substituted through amendment vide G.O.Ms.No.29, Law (LA&J-SC.F) Department, dated 28.07.2017, which mandates three years of practice as an Advocate essential to be eligible for appointment to the category of Civil Judge.

It is to be noted that this Court, in similar writ petitions, viz., W.P.Nos.7934, 8692 and 8763 of 2019 filed by the similarly situated persons, laying challenge to the very same Rule noted above, heard both sides and observed that the matter requires hearing in detail since issue involves questions of law, more particularly, the power of the High Court, vis-à-vis the recommendations made by the Apex Court, judgments of different High Courts on the said aspect, the contrary view taken by the Bombay High Court, Chattisgarh High Court and High Court of Calcutta. Having observed so, this Court granted certain interim directions on 12.07.2019, owing to the fact that the closing date for submission of online application is on 16.7.2019 and test is scheduled to be conducted on 04.08.2019.

In the facts and circumstances, there shall be same interim directions in this case also.

Accordingly, the respondent authorities are directed to accept the online application of the petitioner, if it is otherwise found to be in order and permit her to attend the examination.

Any selection made in respect of the petitioner shall be subject to the result of the writ petition and the petitioner shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case the petitioner qualifies in the preliminary examination.

Post after three weeks.

Meanwhile, counters to be filed.

Sd/- U. SIVALEELA DEPUTY REGISTRAR ASSISTANT KEGO...

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

- The Law Secretary, Department of Law, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District- 522503. (By RPAD)
- The Registrar, (Recruitment) High Court of Andhra Pradesh, Nelapadu, Guntur District- 522202 (By Spl. Messengar)
- 3. One CC to Sri. SR Sanku, Advocate [OPUC]
- 4. One CC to Sri. A Sivaiah, Advocate [OPUC]
- 5. Two CCs to The Advocate General, High Court of A.P. (OUT)
- 6. Two CCs to GP for Law Legislative Affairs, High Court of A.P.. [OUT]
- 7 Two spare copies

BJLB

HAC, J & MSM, J

DATED:15/07/2019

NOTE: POST AFTER THREE WEEKS

ORDER

WP.No.9153 of 2019

INTERIM DIRECTION

HIGH COURT OF ANDHRA PRADESH: AMARAVATI

MONDAY, THE FIFTEENTH DAY OF JULY TWO THOUSAND AND NINETEEN



THE HON'BLE THE ACTING CHIEF JUSTICE SRI C.PRAVEEN KUMAR AND THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO: 9158 OF 2019

Between:

Battula Akhila, D/o. Battula Adinarayana

Petitioner

AND

1. The State of A.P., rep. by its Prl. Secretary, Law Department, Secretariat, Amaravati.

The Registrar (Recruitment), High Court of Andhra Pradesh, Amaravathi.

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 of Mandamus or any other appropriate writ, order or direction declaring clause 5 Sub-clause 2 a(ii) of the A.P. State Judicial service Rules 2007, made vide G.O.Ms.No. 119 dated. 02-08-2008 issued by the 1st Respondent herein in so far as insisting that a person to be appointed to the category of Civil Judges shall be one who has been practicing for not less than three years as an Advocate as or date of Publication of the advertisement in the news papers and the consequential notification No. 5/2019-RC, dated 17-06-2019 issued by the 2nd Respondent herein to the extent of Clause III (a) pertaining to the qualifications in so far as direct recruitment for the Post of Civil Judges concerned as illegal, arbitrary, unconstitutional, unreasonable and violative of Articles 14, 16(1) and 19(1) (g) of the Constitution of India and violativwe of principles of natural justice.

IA NO: 1 OF 2019:

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 2nd Respondent to accept the application of the petitioner without insisting on experience of practice as an Advocate by permit the petitioner to appear for the examination for the post of Civil Judge (Junior Division) in pursuance of the Notification No. 5/2019-RC, dt. 17-06-2019 issued by the 2nd Respondent herein, pending disposal of WP No. 9158 of 2019 on the file of the High Court.

The petition coming on for hearing, upon perusing the petition and the affidavit filed herein and upon hearing the arguments of Sri T.Ramakoteswara Rao, Advocate for the Petitioner, G.P. for Law & Legislative Affairs for the Respondent No.1 and of Sri A.Sivaiah -S.C. for the Respondent No.2, the Court made the following

" Heard the learned counsel for petitioners and the learned Standing Counsel for the Andhra Pradesh High Court.

This writ petition came to be filed challenging Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007, as substituted through amendment vide G.O.Ms.No.29, Law (LA&J-SC.F) Department, dated 28.07.2017, which mandates three years of practice as an Advocate essential to be eligible for appointment to the category of Civil Judge.

It is to be noted that this Court, in similar writ petitions, viz., W.P.Nos.7934, 8692 and 8763 of 2019 filed by the similarly situated persons, laying challenge to the very same Rule noted above, heard both sides and observed that the matter requires hearing in detail since issue involves questions of law, more particularly, the power of the High Court, vis-à-vis the recommendations made by the Apex Court, judgments of different High Courts on the said aspect, the contrary view taken by the Bombay High Court, Chattisgarh High Court and High Court of Calcutta. Having observed so, this Court granted certain interim directions on 12.07.2019, owing to the fact that the closing date for submission of online application is on 16.7.2019 and test is scheduled to be conducted on 04.08.2019.



In the facts and circumstances, there shall be same interim directions in this case also.

Accordingly, the respondent authorities are directed to accept the online applications of the petitioner, if it is otherwise found to be in order and permit her to attend the examination.

Any selection made in respect of the petitioner shall be subject to the result of the writ petition and the petitioner shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case the petitioner qualifies in the preliminary examination.

//TRUE COPY//

Post after three weeks. Meanwhile, counters to be filed."

> Sd/- A.SURYA PRAKASH RAO DEPUTY REGISTRAR

> > for DEPUTY REGISTRAR

To

- The Prl. Secretary, Law Department, State of A.P., Secretariat, Amaravati.
 The Registrar (Recruitment), High Court of Andhra Pradesh, Amaravathi.
 Two CCs to G.P. for Law & Legislative Affairs, High Court, A.P. (OUT)
 Two CCs to the Advocate General, High Court, A.P.

- 5. One CC to Sri T Ramakoteswara Rao, Advocate (OPUC)
- 6. One CC to Sri A.Sivaiah, Advocate (OPUC)
- Two spare copies.

SAH

HACJ & MSMJ

DATED:15-07-2019

NOTE: POST AFTER THREE WEEKS

ORDER

WP.No.9158 OF 2019

INTERIM DIRECTION

HIGH COURT OF ANDHRA PRADESH

MONDAY, THE FIFTEENTH DAY OF JULY TWO THOUSAND AND NINETEEN :PRESENT: CRI

:PRESENT: SRI THE HONOURABLE THE ACTING CHIEF JUSTICE C.PRAVEEN KUMAR AND

THE HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO: 9166 OF 2019

Between:

- Vendoti Silpa, D/o: Pardhasaradhi Reddy, Age 33 years, Occ: Advocate, H.No.27-2-294, Ramjinagar, Near Children Park, Nellore, Dargamitta, Andhra Pradesh Cell: 7396507396.
- Kypa Ramya Sai, D/o: Jayarami Reddy, Aged 24 years, Occ: Advocate, 27-114, Moolasagaram, Nandyala, Kurnool District, AP, Cell: 9346717202.
- 3. Koppula Kavitha, D/o. Ravi Kumar, Aged 25 years, Occ: Advocate, Gollagunta Village, Chilamanuru post, Balayyapalli mandal, Nellore District, AP, Cell: 9347431949.
- D. Madan Mohan, S/o. Samule, Aged 29 years, Occ: Advocate, H.No. 11/49, ABM Palem, Markepur, Prakashem District, AP, Cell: 9121505215.
- Venkata Vahini Malleboina, D/o. Chandra Sekhara Rao, Aged 31 years, Occ: Advocate, H.no. 11-4-17, Chenchupet, Tenali, Gunturu Disrict, AP, Cell: 9700127124.
- Obulu Reddy Roja, D/o. Raja Reddy, Aged 22 years, Occ: Advocate, H.no.41/745-175, GanjiKunta Colony, Kadapa District, AP, Cell: 8096043099/9052991536.
- 7. Kommavarapu Venkata Sai Harish Babu, S/o Siva Prasad, Aged 22 years, Occ: Advocate H.no.3-318, Near Sivalayam, Nekarikallu, Nekarikallu Mandal, Gunturu District, AP, Cell: 8179732626.



- 8. Thota Jagadeesh Kumar, S/o. Venkata Satyanarayana, Aged 25 years, Occ: Advocate, S.R.Pet, Kothibomma Center, Beig Street, Ward-4, Tadepalligudem, W.G.Dist, AP, Cell: 8096026627.
- 9. Tammali Supriya Devi, D/o. Vijaya Kumar, Aged 26 years, Occ: Advocate, H.no.1-4879/80/C&D, Pradeep Apartment, Flat no. 303 (3rd floor), Street No. 960, Gandhi Nagar, New Bakaram, Hyderabad, Telengana 500080 Cell: 9989034731.
- Vadlani Teja, D/o. V.S.R.C.H Murthy, Aged 24 years, Occ: Advocate, D.no. 11-20, Near Kameneni Hospital, Canal Road, Kaikaluru, Krishna District, AP, Cell: 8333083599.
- 11. Gunturu Neelima, D/o. Bhanu Prakash, Aged 27 years, Occ: Advocate, Dr.no. 15-6-27/1, Near TDP office, Old Bus Stand Road, Sattenapally, Gunturu District, AP, Cell: 7780442465.
- 12. Kunapulli Sandhya, D/o Venkata Ramakrishna Aged 26 years, Occ: Advocate, Flat no. 550, E.C.Nagar, Cherlapally, Hyderabad – 500 051, Cell: 9492035521.
- 13. M.Meghna Jyothi, D/o. M.Vijaya Chandra Rana, Age:23 Years, Occ: Advocate, R/o: H.No.19-41-S5-1195, Vijaya Happy Home, Jaya Nagar, Behind Hotel bills, Tirupathi, Cell:9490687132.
- 14. S.Murali, S/o.S. Tatarao,
 Age: 31 Years, Oce: Advocate,
 Buchayaa Bhavan, Gunidhan Village,
 Cheepurpalli Mandal, Vijayanagaram District,
 Cell:9493939337.
- 15. N.Prudhvi Raju, S/o. N.V.R .Raju, Age: 24 Years, Occ : Advocate, R/o: H.No.1/541/39, N.G.Os Colony, Adoni-518302, Cell:8374444775.

- 16. N.Mahesh, S/o .N. Maddelety,
 Age:27 Years, Occ: Advocate,
 H.No.1-93, Mittapalli Village,
 Banaganapalli Mandal, Kurnool District,
 Andhra Pradesh -518124, Cell:9848333449.
- Tarlada Sushanthi, D/o. T.Gopala Krishna, Age:26 Years, Occ:Advocate, Door No:11-6-59/2, Kollavari Veedhi, Srikakulam, Andhra Pradesh. Cell: 7013291899/9290486945.
- 18. Kshatri Vimal Rathour, W/o. Swami Saran, Age:38 Years, Occ: Advocate, LIG 1/83, Door No: 14-28-10/A, APHB Colony, Near TPMH School, Old Srikakulam, Srikakulam, AP Cell: 9394554646/9399994646.
- 19. H.Kaya Sree, D/o.H.Lajipathi Rai, Age:24 Years, Occ:Advocate, D.No.16-2-836/A/20, LIC Colony, Srikar Prabhudev Apartments, Saidabad Colony, Hyderabad-500059, Cell:9666289000.
- Banavatu Venkatesh Nayak, S/o.Banavatu Yalamada, Age:27 Years, Occ: Advocate, Door No: 6-151, Surampalli, Sugali Peta, Gannavaram Mandal, Krishna District-521212,AP, Cell:9030402777.
- 21. Y.V.S.Aravind Reddy, S/o.Y.Kumar Reddy, Age:24 Years, Occ:Advocate, H.No.15/445, Balaji Nagar-I, Proddatur, Kadapa District, Andhra Pradesh-516360. Cell:8939297826.
- 22. Nallabothula Lakshmi Prasnna, D/o.Late N.Pullaiah, Age:27 Years, Occ:Advocate, D.No.28/52-16 Near Government High School, Rameshwaram, Proddatur-516360, Kadapa District, Cell:9676990628
- 23. A.Saloni, D/o.A.Ramesh, Age:22 Years, Occ:Advocate, D.No.25-2-1739, Podalkur Road, 6th Street, Surya Prakash Colony, Nellore-524004, Cell:8374689020.

- 24. P.Vineela Varma, D/o.P.Gaja Pratap Raju, Age:30 Years, Occ:Advocate, #506, Victory Apartments, Yerramukkapally, Kadapa, Cell:8099443656.
- 25. G.Udayasree, D/o.G.Bhaskar Reddy, Age:24 Years, Occ:Advocate, H.No.2-23, Nallagutta, Dharga Street, Nallagutta Post, Allagadda, Kurnool, Andhra Pradesh-518543, Cell: 9154311311.
- 26. G.Leena Reddy, D/o.G.Madan Mohan Reddy, Age:23 Years, Occ:Advocate, H.No.6-615, Yellampalli, Domalcheruvu, hittor, A.P. Cell: 7036074799.
- 27. Yerukala Sushnth, S/o.Y.Venkateshwara Rao, Age:25 Years, Occ:Advocate, R/o.H.No.5-25, Nagaram Village, Keesara Mandal, R.R.District, Hyderabad, Cell:7416810522.
- 28. Davala Pravallika, D/o.Davala Ananda Rao, Age:26 Years, Occ:Advocate, D.No.8-10-110, Dhavala Colony, G.T.Road, Srikakulam, Andhra Pradesh-532001, Cell:9502302854/7036063027.
- N.Maha Lakshmi, W/o.Siva Gopal Reddy, Age:27 Years, Occ:Advocate, H.No.15-57/1,ravi chettu Veedhi, Pedapudi Mandalam.
- 30. G.Mamidada, G.Mamidada, East Godavari, Andhra Pradesh-533344, Cell:9618689139.
- S.Ashia, D/o.S.Hussain Basha,
 Age:23 Years, Occ:Advocate,
 H.No.358, Phase IX, Housing Board Colony,
 Nandyala, Kurnool District, Cell:8374459073.
- 32. S.Aneesha Resham, D/o.S.Hussain Basha, Age:27 Years, Occ:Advocate, H.No.358, Phase-IX, Housing Board Colony, Nandyala, Kurnool District, Cell:8106063557.

- 33. P.Prasanth, S/o.P.Sreenath, Age:28 Years, Occ:Advocate, D.No.6-59/4, 4th Street, Dhanalakshmi Nagar, Avilala, Tirupati-517507, Cell:9703167081.
- 34. Pasuparthi Sravanthi, D/o.P.S.Raju, Age:27 Years, Occ:Advocate, D.No.6/436, Arts College Road, Proddutur-516360, Kadapa District, Cell:7569095410.
- 35. G.Sai Pooja, D/o.G.Ailaiah Goud, Age:24 Years, Occ: Advocate, H.No.4-54-29, Maqdhoom Nagar, Jagathgiri Gutta, Hyderabad-500037, Telangana. Cell:9704208518.
- 36. Y.V.L.N.Sindura, D/o.Y.Sambasiva Rao, Age:27 Years, Occ:Advocate, Near Janardhana swamy Temple Street, Kandukur, Prakasam District-523105, Cell:8330924492/9948213238.
- 37. J.Shiva Krishna, S/o.Achyutha Rao, Age:23 Years, Occ:Advocate, H.No.7-71, Revoor Village, Mellachruvu Mandal, Nalgonda District -508246, Cell:9014905442.
- 38. Pittala Sreehari Krishan, S/o.Lakshmaiah, Age:28 Years, Occ:Advocate, Balajiraopet, Near Pollaram Temple, H.No.10-2-14/1, Ongole-523002, Cell:9177852219.
- 39. Ashoka Reddy Pala, S/o.China Apparao, Age:31 Years, Occ:Advocate, D.No.19-22-23/1, Nellimukku, Pedagantyada, Visakhapatnam-530044, Cell:8125600900.
- 40. Bhilavath Manoj, S/o.Bhilavath PulliNaik, Age:25 Years, Occ:Advocate, H.No.1-35,L.K.Thanda, Gadivemula, Gani, Kurnool, Cell:8328127605.
- 41. Paladugula Alekya, D/o.Palakugula Nagesh, Age:27 Years, Occ:Advocate, H.No:1-7-1050, Santhosh Nagar Colony, Lane Number-2, Nakkalagutta, Hanumakonda, Warangal, Cell:9849009396.

- 42. Yerram Nishanth, S/o.Yerram Surender, Age:28 Years, Occ:Advocate, H.No.2-17-127/A/112, Raghavendra Nagar Colony, Kalyanipuri Colony, Uppal, Medchal-500039. Cell: 6302469514/9700904204.
- 43. Yerram Harish, S/o.Yerram Surender, Age: 25 Yrs, Occ: Advocate, R/o: H.No.2-17-127/9/112, Raghavendra Nagar colony, Kalyanapuri, Uppal, Medchal 500 039. Cell No.6309627997.
- 44. P. Priyadarshini, W/o: T.J.S.N. Murthy, Aged: 31 Yrs, Occ: Advocate, R/o: D.No.2-19-9, IInd floor, Madhav Nagar, Kakinada, East Goadavri, A.P. 533 003. Cell No. 8179844855.
- 45. R. Durga Latha Sri, D/o: R.V.Suryanarayana, Aged 23 Yrs, Occ: Advocate, R/o: D4, Santhosh Residency, Bypass Road, Bradipeta, 2nd Street, Palakollu, West Godavari District, A.P 534 260. Cell No.7768890209.
- 46. Vakati Venkata Gnanusha, D/o: Vakati Janardhan, Aged 22 Yrs, Occ. Advocate, R/o: Plot No.15, Bapuji Nagar, Kavali, SPSR Nellore District, A.P. Cell Nos.7768060959/6300725118.
- 47. M. Yashwanth Reddy,
 S/o: M. Chandra Sekhar Reddy,
 Aged 25 Yrs, Occ: Advocate,
 R/o: Flat No.403, Vasundhara Towers,
 Tirumala Reddy Nagar, Karakambadi Road,
 Tirupathi (Urban), Chittor district, A.P 517 507.
 Cell No.9096069549.
- 48. Muppiri Saran, S/o: Muppiri Venkata Bhaskara Rao, Aged 24 Yrs, Oce: Advocate, R/o: D.No.12-164, Janapadu Road, Pidugurrala, Guntur District, A.P. Cell No.9766271425.
- 49. Terlapu Veera Raghavendra Rao, Advocate S/o.Krishna, aged about 30 years,
 D.No. 24-29-221/2, Park Road, Kunapa Kuraparedduvari Street, Gulabhithota, Vijayawada-03, Krishna Dist. Andhra Pradesh.

- 50. Mekapothula Pushpalatha, Advocate, D/o. Narasimha Reddy, aged about 27 years, D.No.2-88, Hospital Road, Alluru, Krishna District, Andhra Pradesh.
- 51. Nishad Naaz Shaik, Advocate, D/o.Jaffer, 14-138, Kavamma temple st., Chilakaluripet H/O. Purushotha Patnam, Purushothapatnam, Guntur, Andhra Pradesh.
- Yandrapati Avanthi, Advocate,
 D/o. Yandrapati Sajjana Rao, 420 I,
 Railway Quarters, Wynchipeta, Chittinagar, Vijayawada-01,
 Krishna District, Andhra Pradesh.
- 53. Guduri Keerthi Chandrika, Advocate,D/o. Guduri Rama Brahmaiah,5-12-9, Mente vari thota, Near CPM office,Bhimavaram, West Godavari, Andhra Pradesh.
- 54. Annavarapu Tejaswi, Advocate, D/o. Narendra Babu, 12-49, Kancherla palem, Guntur, Andhra Pradesh.
- 55. Kancharla Durga Lavanya, Advocate,D/o. Siva Sankar, aged about 23 years,1-3-227/1, vadru street, Vidyadharapuram,Vijayawada (Urban), Krishna District, Andhra Pradesh.
- 56. Pokaka Venkata Naga Ranjith Kumar, Advocate, S/o. Venkata Rama Rao, 14-265/4, Mahadevapuram Colony, Kanuru, Neeladri-Nilayam, Vijayawada (Rural),
- 57. Suresh Sowmya @ Perisetla Sowmya, Advocate, W/o. Venkateswarlu, aged about 29 years, 4-1-481/A48, Konamma Thota, Kovuru, Nellore District, Andhra Pradesh.
- 58. T. Manikanta, Advocate, S/o. Tepphala Sarojanamma, aged about 27 years, 17-1-523, Chakali street, Near Leela Mahal Theatre, VRC Centre, Dargamitta, Nellore, Andhra Pradesh.
- 59. Mandalapu Sandhya, Advocate, D/o. Late Sambasiva Rao, aged about 25 years, 16-8-385, Ramalingapuram, Near Chaitanya College, Nellore, Dargamitta, Andhra Pradesh.

- 60. Bandikalla Bharathi, Advocate, W/o.Vemu Sunil, Flat No. 303, Yaganti Royal Residency, 6/12 Lane, Brodipet, Guntur, Guntur, Andhra Pradesh.
- Sushma .M, (a) Gullapalli Sushma, Advocate, W/o. Raghuram, aged about 31 years, D.No.3-30-11/4 GMC No.392, Nalanda Nagar, 2nd lane, Guntur, Guntur District, Andhra Pradesh.
- Pushpa Latha Nalliboyina, @ Padamata-,
 Pushpa latha, Advocate,
 W/o. Ranga Rao, aged about 36 years,
 4-106, Gouda Peta, Gannavaram,
 Krishna District, Andhra Pradesh.
- 63. Deepika Buddabathuni, Advocate, Aged about 29 years, No.15, Rajeev Nagar Colony, Vizianagaram, Vizianagaram District, Andhra Pradesh.
- 64. Kohirkar Srinija, Advocate,
 D/o. Srinivas Rao, aged about 27 years,
 H.No. 6-88/17/1, Borgaon (P),
 Nizamabad, Pangra, Boregaon,
 Nizamabad, Telangana.
- Anusha Otturi, Advocate,
 D/o. Srinivasa Rao, aged about 24 years,
 37-1-169/58 a, Lambadi Donka Road,
 Near Power office, Ongole,
 Prakasham District, Andhra Pradesh.
- Veena C.V @ Amaravathi Sriveena, Advocate,
 W/o. A Venkata Naga Sanjeev Kumar,
 D.No. 25-17-309, Srinivasa Rao Pet, 6/4,
 Guntur, Andhra Pradesh.
- 67. Gnana Hima Bindu Kommuri, Advocate, D/o. Siva Kumar, aged about 25 years, 12-28-77/A, Seelam Vari Street, Syamala Das-, Agraharam, Guntur, Andhra Pradesh.
- 68. Kovi Bhavya, Advocate, D/o. Kovi Madhusudhan, aged about 28 years, 24/1/2114, Prasanthi Nagar, Near Municipal-, Corporation Office, Dargamitta, Nellore, Andhra Pradesh.

- 69. D.H.Benji, Advocate, S/o. Johnson, aged about 34 years, 17-1-16, D.M.Palli, Bapatla, Guntur, Andhra Pradesh.
- 70. Suyodhan Thadibhoyana, Advocate, S/o. Raghava Rao, aged about 32 years, 15-4-73, Market street, 16th ward, Bapatla, Guntur, Andhra Pradesh.
- 71. Thota Mounika, Advocate,
 D/o. Vijaya Srinivasa Rao, aged about 26 years,
 8-234, Bhaskar Nagar Colony, Chapara,
 Balaga (rural), Srikakulam,
 Srikakulam District, Andhra Pradesh.
- 72. Regulagadda Venkatesh, Advocate, S/o. Mahalaxmayya, aged about 28 years, 31-14-9, Gowri Street, Allipuram, Venkateswara metta, Visakhapatnam (Urban), Visakakhapatnam, Andhra Pradesh.
- 73. Kasi Markandeya Krishna Sekhar Sarma, Advocate, S/o.Kasi Syama Sundara Rao, aged about Flat No. B-503, Divya sai Srinidhi Apartments, Opp. Virat Nagar, Ongole, Lawyer Pet, Prakasam District, Andhra Pradesh.
- 74. Kola Durga Bhavani, D/o K. Annavaramu, aged about 28 years, H.No. 10-4-6, Konavari Street, 8th Ward, Old Town, Tanuku, West Godavari District, Andhra Pradesh.
- 75. Tunuguntla Suneel,
 S/o Rama Krishna, aged about 28 years,
 Block-A, Flat No. 503,
 Kallam Homes, Telugu Velugu Apartments,
 1st Lane, Vivekananda Nagar, Guntur, Andhra Pradesh.
- 76. Adivi Sravani Kamala Priyanka, D/o Adivi Venkata Ramana, aged about 22 years, NGO's Colony, Kaikaluru, Krishna District, Andhra Pradesh.
- 77. S.Prathima, D/O V. Subramanyam Age: 26 years, Occ: Advocate H.NO. 6-537, Srinagar Colony, Palamaner Chittoor district, Andhra Pradesh, Cell: 7842329942.

- M.S. Chaithra, D/O M. A. Somasekhar Age: 26 years, Occ: Advocate 12-45, 12th Ward, Pavagala Road, Near BSNL Office, Roddam, Anantapur, Andhra Pradesh.
- 79. Ramavath Lakshmi Durga, D/O R. Sunke Naik Age: 27 years, Oce: Advocate H.No. 8-2-603/H/75/A, Gurubrahma Nagar, BanjaraHills Road no. 10, Hyderabad, Telangana, 500034 Cell: 9640223450
- 80. Burle Deepika D/o Burle Linga raju
 Age 28 years, Occ: Advocate
 H.No:37-6-94, Opp: Kancherapalem Police Station,
 Satyanagar, Vishakapatnam
 Andhra Pradesh.9441659296.
- 81. M. Amar Deep Chandra. S/o M. Chandrakumar, Age 29 Years, H.No: 18-5-562/1 out side AliyaBad, Charminar, Hyderabad, Telangana State. Cell No:9963196671.
- 82. Bhupathi Raju Prudhvi Raju S/o B.H.Subbaraju, Age 27 years, Flat No;101.Yamunatri Towers, Near Ramachandra Gardens, ASR Nagar, Bhimavaram, West Godavari Dist. Andhra Pradesh, Cell No: 9000001188.
 - 83. Chall Jyothi, D/o Chall Subramanyam,
 Age 26 years, H.No: 4-10/1,
 Agishetti vari Meraka mogaltur mandalam,
 Perupalem, Westgodavari Perupalem,
 Andhra Pradesh. Cell No: 9542532527.
 - 84. P. Madhavi, D/o Uma Maheswar Rao, Age 36 Years, H.No:8-3-502/16 Ist Floor, Sanjay Gandhi Nagar, Yella Reddy Guda, Khairatabad, SreeNagar Colony, Hyderabad, Telangana State. Cell No: 9110385865.
 - 85. Mylabathula Devesta Deepika, D/o M.S.Victor Bob, Age27, H.No: 7-153, Teachers Colony, Jaggampeta, East Godavari, pin 533435, Cell No: 7842163188.

- 86. Viyyapu Arun Tej, S/o V. Jagannadha Rao, Age 26, H.No: 9-7-20/16, Near Saibaba Temple, Shivaji Palem, Vishakapatnam, Andhra Pradesh, Cell No:8790888370.
- 87. SaiJal Jain, D/o Sanat Jain Age: 26 years, H.No: Ward No 15, Chaudary enter prizes, Gandhichock, Nawapara district, Raipur, Chhattisgarh- 493881.
- 88. Dasari Venkatrao, S/o Venkateswarlu, Age;36 years,1-129, Ramalayamu Street, Nagaluppalapadu Mandalam. Chadalawada, Prakasham, Andhrapradesh 523183.
- 89. G.Himabindu,D/o. S.R.Vishnu Murthi, Aged about 31 years, Occu.Advocate, D.No.6-3-343/1, Balapura, Erra Manzil Colony, Hyderabad.
- 90. Yijjurothu Bhanu Sri Akhila, Advocate, D/o. Srinivasa Rao, aged about 26 years, 5-92, Post Office St., Kummari Dibba, Simhachalam, Vishakhapatnam, Andhra Pradesh.
- 91. Y. Surya Teja, Advocate, S/o. Srinivasa Chary, aged about 25 years, 16-2-835/A/10, Near Masjid Quadaria, Saidabad, Hyderabad, Telangana.
- 92. V.T.P.G.P. Mahesh, Advocate, S/o.Villuri Redamma Naidu, Aged about 27 years, 18-10-11/2, V J Naidu Street, Gavarapalem, Anakapalle, Visakhapatnam, Andhra Pradesh.
- 93) Katta Radha Sandeepthi Reddy, Advocate D/o.Sampath Reddy,aged about 30 years, H.No. 4-52, Zaffargadh Mandal, Venkatapur, Warangal, Andhra Pradesh.
- 94) Bommisetti Gayatri, Advocate, D/o.Venkateswara Rao, aged about 28 years, 9-42-29, Illipilli vari ganganamma Temple, Kondameda, Vijayawada (Urban), Krishna District, Andhra Pradesh.

- 95) Anil Kumar Jaldi, Advocate, S/o. Ratnam Jaldi, aged about 32 years, 41-28/5-92, Peraiah Street, Beside Power Station, Ranigarithota, Krishnalanka, Vijayawada(Urban), Krishna District, Andhra Pradesh.
- 96) Vardhanapu Vineela, Advocate, D/o. Vijaya Vardhan, aged about 24 years, 32-2-3, Gunnam vari street, Subbarayudu Temple, Palacole, Palakol, West Godavari District, Andhra Pradesh.
- 97) Joijode Ruthikkanth Rao, Advocate, S/o. Rajendra Prakash, aged about 23 years, Shanthi Nagar Rakasi pet, Bodhan Rural Mandal, Nizamabad District, Telangana
- 98). Nagireddy Sruthi, D/o.Nagireddy Srinivas, Aged about 22 years, Occupation. Advocate, D.No.12-23-2/1, Sitharamnagar, Bc Road, Gajuvaka, Viskapattanam, Cell.8885757706.
- 99) Sandhya Deepthi Maddala, W/o Giri Babu, Occ: Advocate, R/o 43/151-18, Block No.151, Ward No.23, Sndaraiah Road, Ajith Singh Nagar, Vijayawada(Urban), Krishna District.
- 100) G.Swarna Latha D/o G.Narayana Swami, Aged about 33 yrs, R/o D.NO.11-1-537, Krupanandha Nagar, Near Aravindha Nagar, Ananthapuram, Ananthapur District.
- 101) P. Meenakshi Sundari D/o P.N.Balaji Kumar, Aged about 24yrs, Oec: Advocate, R/o D.No.8-98/2, 4th Cross, Royal Nagar, RC Road, Tirupati, Chittoor District.
- 102) Mekala Sarayu Srilakshmi D/o M. Venkateswarlu, Aged about25 yrs, R/o D.No.3-9, W/o Banka Srikantha Yadav, Near Sai Baba Temple, Alluru, Kothapatnam Mandal, Prakasam District.
- 103) Gundloor Lakshmi Priya D/o Gundloor Samba Sivaiah, Aged about 25yrs, R/o D.No.2-59, Thukivakam (V & P), Thukivakam, Renigunta Mandal, Chittoor District.
- 104) Chintha Surekha D/o Chintha Suryanarayana, Aged about 39yrs, R/o D.No.12-5-128, Upstairs, FCI Colony, Near LIG Bus Stop, Anantapur, Anantapur District.

- 105) Chintha Sandeep S/o Chintha Surya Narayana, Aged about 37yrs, R/o D.No.12-5-128, Upstairs, FCI Colony, Near LIG Bus Stop, Anantapur, Anantapur District.
- 106) Chintha Sunanda D/o Chintha Suryanarayana, Aged about 33yrs, R/o D.No.12-5-128, Upstairs, FCI Colony, Near LIG Bus Stop, Anantapur, Anantapur District.

...Petitioners

AND

- The State of Andhra Pradesh, Rep by its Principal Secretary, Law Department, Secretariat, Velagapudi, Andhra Pradesh.

.... 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 WRIT or order or direction more particularly in the nature of Writ of Mandamus declaring as follows:

- (a) The Rule 5 (2) (a) (i) of The Andhra Pradesh State Judicial Service Rules, 2007 as illegal, unconstitutional, arbitrary and ultra virus and consequently set aside the same.
- (b) Clause III (a) of the Notification for the posts of Civil Judge (Junior Division) on 17-06-2019, Vide Notification No. 5/2009-RC issued by the respondent no. 2 as illegal unconstitutional, arbitrary and ultra vires and consequently set aside the same.
- (c) Direct the 2nd Respondent to allow the Petitioner to appear in the competitive Exam for the post of Junior Civil Judge without insisting three years experience certificate, under Vide Notification No.5/2009-RC, 17-06-2019, issued by the respondent No.2.

IA NO: 1 OF 2019

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 respondent No. 2 to accept the Application of the petitioner to appear in the Competitive Exam for the post of Junior Civil Judge, without insisting three years experience certificate, in the pursuant to Notification No. 5/2019-RC, 17.06.2019, in the interest of justice.

The petition coming on for hearing, upon perusing the Memorandum of Petition and affidavit filed herein and order of High Court dt. 13.06.2019 made herein and upon hearing the arguments of Sri Y.Balaji, Advocate for the Petitioners, the Court made the following:

ORDER

"Heard the learned counsel for petitioners and the learned Standing Counsel for the Andhra Pradesh High Court.

This writ petition came to be filed challenging Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007, as substituted through amendment vide G.O.Ms.No.29, Law (LA&J-SC.F) Department, dated 28.07.2017, which mandates three years of practice as an Advocate essential to be eligible for appointment to the category of Civil Judge.

It is to be noted that this Court, in similar writ petitions, viz., W.P.Nos.7934, 8692 and 8763 of 2019 filed by the similarly situated persons, laying challenge to the very same Rule noted above, heard both sides and observed that the matter requires hearing in detail since issue involves questions of law, more particularly, the power of the High Court, vis-à-vis the recommendations made by the Apex Court, judgments of different High Courts on the said aspect, the contrary view taken by the Bombay High Court, Chattisgarh High Court and High Court of Calcutta. Having observed so, this Court granted certain interim directions on 12.07.2019, owing to the fact that the closing date for submission of online application is on 16.7.2019 and test is scheduled to be conducted on 04.08.2019.

In the facts and circumstances, there shall be same interim directions in this case also.

Accordingly, the respondent authorities are directed to accept the online applications of the petitioners, if they are otherwise found to be in order and permit them to attend the examination.

Any selection made in respect of the petitioners shall be subject to the result of the writ petition and the petitioners shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case the petitioners qualify in the preliminary examination.

Post after three weeks.

Meanwhile, counters to be filed."

SD/- A.SURYA PRAKASH DEPUTY REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

- 1. The Principal Secretary, Law Department, Secretariat, Velagapudi, Andhra Pradesh. (ByRPAD)
- 2 The Registrar (Recruitment), High Court of Andhra Pradesh, Amaravati.

3. One CC to SRI Y.Balaji, Advocate [OPUC]

- Two CC's to Advocate General, High Court of A.P. [OUT]
 Two CC's to Government Pleader for Law & Legislative affairs, High Court of A.P. [OUT]
- 6. One CC to Sri A.Sivaiah, Standing counsel for the A.P. High Court. [OUT]

7. One spare copy

MSR

HAC,J & MSM,J

DATED: 15/07/2019

ORDER

WP.NO.9166 OF 2019

HIGH COURT OF ANDHRA PRADESH

MONDAY, THE FIFTEENTH DAY OF JULY TWO THOUSAND AND NINETEEN :PRESENT:

THE HONOURABLE THE ACTING CHIEF JUSTICE C.PRAVEEN KUMAR AND

THE HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO: 9164 OF 2019

Between:

- 1. K KAUSHIK, S/o Dr.K.ManmadhaRao, Age 23years,Advocate F#No.302, Comfort Homes, Haailand Road, Chinakakakni, Mangalagiri, Guntur Dist-522503 Enrolment No-AP/1092/2018
- 2. K. Siva Kumar, S/o K.Hari Koteswara Rao Age 25 years, Advocate,H.No-45,vasavi Nagar, Kandukur,Praksasam Dist. Enrolment No-AP/1852/2017
- 3. D.Bhavana, D/o D.kishore babu Age 25 years, Advocate, H.NO-53-1-421, Opp. RCM English medium school,christurajupuram, Vijayawada. Enrolment No-1269/2017
- 4. M.Ajay Kumar, S/o M.Babu Rao Age 25 years, Advocate, Akulavarithota main road, Galaxy Apartments, flat no -104, Guntur dist. Enrolment No-AP/792/2018
- 5. B.Kevalya, D/o Bandi Prabhakar Rao Age 26 years, Advocate, D.No.50-25-21, TPT Colony, Seethammadra, Visakhapatnam dist. Enrolment No-AP/3779/2018

Petitioners

AND

- 1. The State of Andhra Pradesh, Rep. by its Principal Secretary , Law Department , Secretariat, Velagapudi, AP
- 2. The Registrar (Recruitment), High Court of AP, Amaravati, AP

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 Writ of Mandamus declaring as follows a)The Rule 5(2) (a) (i) of The Andhra Pradesh State judicial Service Rules ,2007 as illegal un Constitutional ,arbitrary and ultra virus and consequently set aside the same. b)The Clause III(a) of the notification No.5/20019 -RC ,dated 17/06/2019 issue by the 2nd respondent for the filing of the posts of the Junior Civil Judge as illegal ,unconstitutional ,arbitrary and ultra vires and consequently set aside the same c)Direct the 2nd respondent to allow the petitioners to appear in the competitive Exam for the post of Junior Civil Judge without insisting three years Experience certificate under Notification No. 5/20019 -RC ,dated 17/06/2019;

IA NO: 1 OF 2019:

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 2nd respondent to accept the application of the petitioners to appear in the competitive Exam for the post of Junior Civil Judge without insisting three years Experience certificate under Notification No. 5/2019 -RC, dated 15/06/2019, pending disposal of the WP 9164 of 2019, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Suresh Kumar Ravuthu Advocate for the Petitioner, GP FOR LAW for the Respondent No. 1 and Sri A.V. Sivaiah (S.C.) for the Respondent No. 2, the Court made the following:



ORDER:

Heard the learned counsel for petitioners and the learned Standing Counsel for the Andhra Pradesh High Court.

This writ petition came to be filed challenging Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007, as substituted through amendment vide G.O.Ms.No.29, Law (LA&J-SC.F) Department, dated 28.07.2017, which mandates three years of practice as an Advocate essential to be eligible for appointment to the category of Civil Judge.

It is to be noted that this Court, in similar writ petitions, viz., W.P.Nos.7934, 8692 and 8763 of 2019 filed by the similarly situated persons, laying challenge to the very same Rule noted above, heard both sides and observed that the matter requires hearing in detail since issue involves questions of law, more particularly, the power of the High Court, vis-à-vis the recommendations made by the Apex Court, judgments of different High Courts on the said aspect, the contrary view taken by the Bombay High Court, Chattisgarh High Court and High Court of Calcutta. Having observed so, this Court granted certain interim directions on 12.07.2019, owing to the fact that the closing date for submission of online application is on 16.7.2019 and test is scheduled to be conducted on 04.08.2019.

In the facts and circumstances, there shall be same interim directions in this case also.

Accordingly, the respondent authorities are directed to accept the online applications of the petitioners, if they are otherwise found to be in order and permit them to attend the examination.

Any selection made in respect of the petitioners shall be subject to the result of the writ petition and the petitioners shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case the petitioners qualify in the preliminary examination.

Post after three weeks.

Meanwhile, counters to be filed.

SD/AU SIVA LEELA ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

- 1. The Principal Secretary, Law Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi at Amaravathi, Guntur District (by RPAD)
- 2. The Registrar (Recruitment), High Court Buildings, Nelapadu, Guntur District 522 202. (by Spl. Messenger)
- 3. One CC to SRI Suresh Kumar Ravuthu, Advocate [OPUC]
- 4. Two CCs to GP FOR LAW, High Court Of Andhra Pradesh. [OUT]
- 5. One CC to SRI A.V. SIVAIAH (S.C.), A.P. High Court [OPUC]
- 6. Two CCs to the Advocate General, High Court of Andhra Pradesh
- 7. one spare copy

HACJ & MSMJ

DATED:15/07/2019

POST AFTER THREE WEEKS

ORDER

WP.No.9164 of 2019

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI MONDAY, THE FIFTEENTH DAY OF JULY TWO THOUSAND AND NINETEEN :PRESENT:

THE HONOURABLE THE ACTING CHIEF JUSTICE SRI C.PRAVEEN KUMAR AND

THE HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY WRIT PETITION NO: 9169 OF 2019

Between:

K.Mamatha Reddy, D/o.K.Sarweswar Reddy

Petitioner

AND

 The State of Andhra Pradesh, Rep. by its Principal Secretary, Law Department, Secretariat Buildings, Velagapudi at Amaravathi, Guntur District

 The High Court of Andhra Pradesh, at Amaravathi, Rep. by its Registrar, (Recruitment) High Court Buildings, Nelapadu, Guntur District - 522 202.

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 writ, order or direction more particularly one in the nature of Writ of Mandamus declaring Rule 5(2)(a)(i) of the Andhra Pradesh Judicial Service Rules, 2007, as substituted through amendment vide G.O.Ms.No.29, dated 28.07.2017, which mandates 3 years practice as an Advocate as one of the essential pre-requisite conditions to be eligible for appointment to the category of Civil Judge (Junior Division) and particularly, Clause III (a) of the recruitment Notification No.5/2019-RC, Dated 17.06.2019, for the post of Civil Judge (Junior Division) issued by the 2nd Respondent herein, as illegal, unconstitutional, arbitrary and ultra vires and to consequently set-aside the same and further direct the 2nd Respondent herein to forthwith allow the petitioner herein to appear in the competitive exam for the post of Junior Civil Judge without insisting on the 3 years experience certificate as notified vide the Notification No. 5/2019-RC, Dated 17.06.2019 of the 2nd Respondent and as relaxed in the Notification No. 5/2019-RC, Dated 12.07.2019 of the 2nd Respondent;

IA NO: 1 OF 2019:

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 2nd Respondent herein to forthwith receive online, the uploaded application of the Petitioner herein, and allow her to appear in the competitive exam for the Post of Junior Civil Judge without insisting on the 3 years experience certificate as notified vide its Notification No. 5/2019-RC, Dated: 17.06.2019 and as relaxed vide Notification No. 5/2019-RC, Dated: 12.07.2019 pursuant to the orders of this Hon'ble Court in 1.A.No.1/2019 in W.P.No.8764/2019 and Batch, dated 12.07.2019, pending disposal of WP 9169 of 2019, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI R.Harish Kumar, Advocate for the Petitioner, GP FOR LAW for the Respondent No. 1 and Sri A. Sivaiah (S.C.) for the Respondent No. 2, the Court made the following:

ORDER:

Heard the learned counsel for petitioner and the learned Standing Counsel for the Andhra Pradesh High Court.

This writ petition came to be filed challenging Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007, as substituted through amendment vide G.O.Ms.No.29, Law (LA&J-SC.F) Department, dated 28.07.2017, which mandates three

years of practice as an Advocate essential to be eligible for appointment to the category of Civil Judge.

It is to be noted that this Court, in similar writ petitions, viz., W.P.Nos.7934, 8692 and 8763 of 2019 filed by the similarly situated persons, laying challenge to the very same Rule noted above, heard both sides and observed that the matter requires hearing in detail since issue involves questions of law, more particularly, the power of the High Court, vis-à-vis the recommendations made by the Apex Court, judgments of different High Courts on the said aspect, the contrary view taken by the Bombay High Court, Chattisgarh High Court and High Court of Calcutta. Having observed so, this Court granted certain interim directions on 12.07.2019, owing to the fact that the closing date for submission of online application is on 16.7.2019 and test is scheduled to be conducted on 04.08.2019.

In the facts and circumstances, there shall be same interim directions in this case also.

Accordingly, the respondent authorities are directed to accept the online application of the petitioner, if it is otherwise found to be in order and permit her to attend the examination.

Any selection made in respect of the petitioner shall be subject to the result of the writ petition and the petitioner shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case the petitioner qualifies in the preliminary examination.

Post after three weeks.

Meanwhile, counters to be filed.

SD/- A.SURYA PRAKASH DEPUTY REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

- The Principal Secretary, Law Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi at Amaravathi, Guntur District (by RPAD)
- 2. The Registrar (Recruitment), High Court Buildings, Nelapadu, Guntur District 522 202. (by Spl. Messenger)
- One CC to SRI. HARISH KUMAR RASINENI Advocate [OPUC]
- 4. Two CCs to GP FOR LAW & LEGISLATURE AFFAIRS, High Court Of Andhra Pradesh. [OUT]
- 5. One CC to SRI. A. SIVAIAH (S.C.) [OPUC]
- 6. Two CCs to the Advocate General, High Court of Andhra Pradesh
- 7. one spare copy

HACJ & MSMJ

DATED:15/07/2019

POST AFTER THREE WEEKS

ORDER

WP.No.9169 of 2019

HIGH COURT OF ANDHRA PRADESH :: AMARAVATHI

MONDAY ,THE FIFTEENTH DAY OF JULY TWO THOUSAND AND NINETEEN

:PRESENT:



THE HONOURABLE THE ACTING CHIEF JUSTICE SRI C.PRAVEEN KUMAR AND THE HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO: 9168 OF 2019

Between:

- 1. Mounika Bonige, D/o. B. Vinaykumar,
- 2. Kota Archana, W/o. Khasim,
- 3. Vallabhaneni Varalakshmi D/o. V.Sambasiva Rao,

Petitioners

AND

- 1. The State of Andhra Pradesh, Rep. by its Law Secretary, Department of Law, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District- 522503.
- 2. The High Court of Andhra Pradesh, at Amaravathi, Guntur District, Andhra Pradesh Rep. Registrar, (Recruitment),

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 an appropriate writ, direction or order, more particularly one in the nature of Writ of-Mandamus declaring (a) Rule 5(2)(a)(i) of the Andhra Pradesh Judicial Service Rules 2007, as illegal, unconstitutional, arbitrary and ultra virus and consequently set aside the same. (b) Clause III (a) of the notification for the posts of Civil Judge (Junior Division) on 17-06-2019, Vide Notification No. 5/2019-RC, issued by the Respondent No.2, as illegal, unconstitutional, arbitrary and ultra virus and consequently set aside the same. (c) To direct the 2nd respondent to allow the Petitioners to appear in the Competitive Exam for the post of Junior Civil Judge without insisting three years experience certificate, Vide Notification No. 5/2019-RC, 17-06-2019, issued by the Respondent No.2

IA NO: 1 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in the W.P., the High Court may be pleased to direct the 2nd Respondent herein to forthwith receive online, the uploaded application of the Petitioner herein, and allow her to appear in the competitive exam for the post of Junior Civil Judge without insisting on the 3 years experience as notified vide its Notification No.5/2019-RC, Date: 17-06-2019, and as relaxed vide its Notification No.5/2019-RC, Dated: 12-07-2019, pursuant to the orders of this Court in I.A.No.1/2019 in W.P.No.8763/2019 and Batch dated:12-07-2019, pending disposal of WP 9168 of 2019, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. Chalasani Ajay Kumar, Advocate for the Petitioner and of GP for Law and Legislature for Respondent No.1 and Sri. A.Sivaiah, learned Standing Counsel for the Respondent No.2.

ORDER

Heard the learned counsel for petitioner and the learned Standing Counsel for the Andhra Pradesh High Court.

This writ petition came to be filed challenging Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007, as substituted through amendment vide G.O.Ms.No.29, Law (LA&J-SC.F) Department, dated 28.07.2017, which mandates three years of practice as an Advocate essential to be eligible for appointment to the category of Civil Judge.

It is to be noted that this Court, in similar writ petitions, viz., W.P.Nos.7934, 8692 and 8763 of 2019 filed by the similarly situated persons, laying challenge to the very same Rule noted above, heard both sides and observed that the matter requires hearing in detail since issue involves questions of law, more particularly, the power of the High Court, vis-à-vis the recommendations made by the Apex Court, judgments of different High Courts on the said aspect, the contrary view taken by the Bombay High Court, Chattisgarh High Court and High Court of Calcutta. Having observed so, this Court granted certain interim directions on 12.07.2019, owing to the fact that the closing date for submission of online application is on 16.7.2019 and test is scheduled to be conducted on 04.08.2019.

In the facts and circumstances, there shall be same interim directions in this case also.

Accordingly, the respondent authorities are directed to accept the online application of the petitioner, if they are otherwise found to be in order and permit them to attend the examination.

Any selection made in respect of the petitioner shall be subject to the result of the writ petition and the petitioner shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case the petitioner qualify in the preliminary examination.

Post after three weeks.

Meanwhile, counters to be filed.

Sd/- A. SURYA PRAKASH RAO DEPUTY REGISTRAR

//TRUE COPY//

For DEPUTY REGISTRAR

To,

- 1. The Law Secretary, Department of Law, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District- 522503. (By RPAD)
- 2. The Registrar, (Recruitment) High Court of Andhra Pradesh, Nelapadu, Guntur District- 522202 (By Spl. Messengar)
- 3. One CC to Sri. Chalasani Ajay Kumar, Advocate [OPUC]
- 4. One CC to Sri. A.Sivaiah, Advocate [OPUC]
- 5. Two CCs to GP for Law Legislative Affairs, High Court of A.P.. [OUT]
- 6 Two spare copies

BJLB

HIGH COURT OF ANDHRA PRADESH :: AMARAVATHI

MONDAY ,THE FIFTEENTH DAY OF JULY TWO THOUSAND AND NINETEEN

:PRESENT:

THE HONOURABLE THE ACTING CHIEF JUSTICE SRI C.PRAVEEN KUMAR AND THE HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO: 9168 OF 2019

Between:

- 1. Mounika Bonige, D/o. B. Vinaykumar,
- 2. Kota Archana, W/o. Khasim.
- 3. Vallabhaneni Varalakshmi D/o. V.Sambasiva Rao,

Petitioners

AND

- The State of Andhra Pradesh, Rep. by its Law Secretary, Department of Law, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District- 522503.
- 2. The High Court of Andhra Pradesh, at Amaravathi, Guntur District, Andhra Pradesh Rep. Registrar, (Recruitment),

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 an appropriate writ, direction or order, more particularly one in the nature of Writ of-Mandamus declaring (a) Rule 5(2)(a)(i) of the Andhra Pradesh Judicial Service Rules 2007, as illegal, unconstitutional, arbitrary and ultra virus and consequently set aside the same. (b) Clause III (a) of the notification for the posts of Civil Judge (Junior Division) on 17-06-2019, Vide Notification No. 5/2019-RC, issued by the Respondent No.2, as illegal, unconstitutional, arbitrary and ultra virus and consequently set aside the same. (c) To direct the 2nd respondent to allow the Petitioners to appear in the Competitive Exam for the post of Junior Civil Judge without insisting three years experience certificate, Vide Notification No. 5/2019-RC, 17-06-2019, issued by the Respondent No.2

IA NO: 1 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in the W.P., the High Court may be pleased to direct the 2nd Respondent herein to forthwith receive online, the uploaded application of the Petitioner herein, and allow her to appear in the competitive exam for the post of Junior Civil Judge without insisting on the 3 years experience as notified vide its Notification No.5/2019-RC, Date: 17-06-2019, and as relaxed vide its Notification No.5/2019-RC, Dated: 12-07-2019, pursuant to the orders of this Court in I.A.No.1/2019 in W.P.No.8763/2019 and Batch dated:12-07-2019, pending disposal of WP 9168 of 2019, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. Chalasani Ajay Kumar, Advocate for the Petitioner and of GP for Law for Respondent No.1 and Sri. A.Sivaiah, learned Standing Counsel for the Respondent No.2.

ORDER

Heard the learned counsel for petitioner and the learned Standing Counsel for the Andhra Pradesh High Court.

This writ petition came to be filed challenging Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007, as substituted through amendment vide G.O.Ms.No.29, Law (LA&J-SC.F) Department, dated 28.07.2017, which mandates three years of practice as an Advocate essential to be eligible for appointment to the category of Civil Judge.

It is to be noted that this Court, in similar writ petitions, viz., W.P.Nos.7934, 8692 and 8763 of 2019 filed by the similarly situated persons, laying challenge to the very same Rule noted above, heard both sides and observed that the matter requires hearing in detail since issue involves questions of law, more particularly, the power of the High Court, vis-à-vis the recommendations made by the Apex Court, judgments of different High Courts on the said aspect, the contrary view taken by the Bombay High Court, Chattisgarh High Court and High Court of Calcutta. Having observed so, this Court granted certain interim directions on 12.07.2019, owing to the fact that the closing date for submission of online application is on 16.7.2019 and test is scheduled to be conducted on 04.08.2019.

In the facts and circumstances, there shall be same interim directions in this case also.

Accordingly, the respondent authorities are directed to accept the online application of the petitioners if it is otherwise found to be in order and permit her to attend the examination.

Any selection made in respect of the petitioner shall be subject to the result of the writ petition and the petitioner shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case the petitioner qualifies in the preliminary examination.

Post after three weeks.

Meanwhile, counters to be filed.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

- 1. The Law Secretary, Department of Law, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District- 522503. (By RPAD)
- The Registrar, (Recruitment) High Court of Andhra Pradesh, Nelapadu, Guntur District- 522202 (By Spl. Messengar)
- 3. One CC to Sri. Chalasani Ajay Kumar, Advocate [OPUC]
- 4. One CC to Sri. A. Sivaiah, Advocate [OPUC]
- 5. Two CCs to The Advocate General, High Court of A.P. (OUT)
- 6. Two CCs to GP for Law Legislative Affairs, High Court of A.P.. [OUT]
- 7 Two spare copies

BJLB

HAC, J & MSM, J

DATED:15/07/2019

NOTE: POST AFTER THREE WEEKS

ORDER

WP.No.9168 of 2019

DRAFTED BY: BJLB

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DRAFTED ON: 15.07.2019

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HIGH COURT

REST

HAC, J & MSM, J

DATED:15/07/2019

NOTE: POST AFTER THREE WEEKS

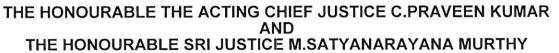
ORDER

WP.No.9168 of 2019

HIGH COURT OF ANDHRA PRADESH :: AMARAVATHI

MONDAY ,THE FIFTEENTH DAY OF JULY TWO THOUSAND AND NINETEEN

:PRESENT:



WRIT PETITION NO: 9170 OF 2019

Between:

M. Tejaswi, D/o M. Toyeji Rao, Aged about 25 Yrs, Occ Law Clerk, R/o Flat No. 1104, Tower 20, Prajay Megapolis, K.P.H.B. Phase 9, Kukatpally, Hyderabad, Hyd. District, Telangana-500072.

Petitioner

AND

- 1. The State of Andhra Pradesh, Rep by its Principal Secretary, Law Department, Secretariat, Velagapudi, A.P.
- 2. The Registrar (Administration), FAC. Registrar (Recruitment), High Court of Andhra Pradesh, Amaravathi.AP.

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 or order or direction more particularly in the nature of Writ of Mandamus declaring as follows (a)The Rule 5 (2) (a) (i) of The Andhra Pradesh State Judicial Service Rules, 2007 as illegal, unconstitutional, arbitrary and ultra virus and consequently set aside the same. (b) Clause III (a) of the notification for the posts of Civil Judge (Junior Division) on 17-6-2019, Vide Notification No.5/2019-RC issued by the respondent no.2 as illegal, unconstitutional, arbitrary and ultra vires and consequently set aside the same. (c)Direct the 2 Respondent to allow the application of the Petitioner for the post of Junior Civil Judge without insisting of enrolment certificate of bar council including the certificate for 3 years experience of practice as an Advocate, vide Notification No.5/2019-RC, 17-6-2019, issued by the respondent No.2.

IA NO: 1 OF 2019

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in the WP., the High Court may be pleased to Direct the 2nd Respondent to allow the application of the Petitioner for the post of Junior Civil Judge without insisting of enrolment certificate of bar council including the certificate for 3 years experience of practice as an advocate, vide Notification No.5/2019-RC, 17-6-2019, issued by the respondent no.2, Pending disposal of WP 9170 of 2019, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri.Y.Balaji, Advocate for the Petitioner and of GP for Law for Respondent No.1 and Sri. A.Sivaiah, learned Standing Counsel for the Respondent No.2.

ORDER

Heard the learned counsel for petitioner and the learned Standing Counsel for the Andhra Pradesh High Court.

This writ petition came to be filed challenging Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007, as substituted through amendment vide G.O.Ms.No.29, Law (LA&J-SC.F) Department, dated 28.07.2017, which mandates three years of practice as an Advocate essential to be eligible for appointment to the category of Civil Judge.

It is to be noted that this Court, in W.P.Nos.7934, 8692 and 8763 of 2019, wherein challenge is laid to the very same Rule noted above, heard both sides and observed that the matter requires hearing in detail since issue involves questions of law, more particularly, the power of the High Court, vis-à-vis the recommendations made by the Apex Court, judgments of different High Courts on the said aspect, the contrary view taken by the Bombay High Court, Chattisgarh High Court and High Court of Calcutta. Having observed so, this Court granted certain interim directions on 12.07.2019, owing to the fact that the closing date for submission of online application is on 16.7.2019 and test is scheduled to be conducted on 04.08.2019.

In the facts and circumstances, there shall be same interim directions in this case also.

Accordingly, the respondent authorities are directed to accept the online application of the petitioner, if it is otherwise found to be in order, and permit her to attend the examination if she is otherwise eligible and fulfils all other requirements.

Any selection made in respect of the petitioner shall be subject to the result of the writ petition and the petitioner shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case the petitioner qualifies in the preliminary examination.

Post after three weeks.

Meanwhile, counters to be filed.

Sd/- A.SURYA PRAKASH RAO
DEPUTY REGISTRAR

//TRUE COPY//

For DEPUTY REGISTRAR

To,

- 1. The Law Secretary, Department of Law, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District- 522503. (By RPAD)
- 2. The Registrar, (Recruitment) High Court of Andhra Pradesh, Nelapadu, Guntur District- 522202 (By Spl. Messengar)
- 3. One CC to Sri. Y. Balaji, Advocate [OPUC]
- 4. One CC to Sri. A.Sivaiah, Advocate [OPUC]
- 5. Two CCs to GP for Law Legislative Affairs, High Court of A.P.. [OUT]
- 7 Two spare copies

BJLB

HAC, J & MSM, J

DATED:15/07/2019

NOTE: POST AFTER THREE WEEKS

ORDER

WP.No.9170 of 2019

HIGH COURT OF ANDHRA PRADESH

MONDAY, THE FIFTEENTH DAY OF JULY TWO THOUSAND AND NINETEEN

:PRESENT:

THE HON'BLE THE ACTING CHIEF JUSTICE C. PRAVEEN KUMAR AND THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTI

WRIT PETITION NO: 9152 OF 2019

Between:

Karuturi Hema Bindhu,, D/o. K. Srinivas Rao,.

Petitioner

AND

1. The State of Andhra Pradesh,, Rep. by its Principal Secretary, Law Department, Secretariat, Secretariat, Velagapudi, Amaravathi, Guntur District, A.P.

2. The State of Andhra Pradesh,, Rep. by its Chief Secretary, LAW (LA and JSC.F)

Department, Secretariat, Velagapudi, Amaravathi, Guntur District, A.P.

The Registrar (Administration),, FAC, Registrar (Recruitment) High Court of Andhra Pradesh, Amaravathi, Andhra Pradesh.

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 writ of mandamus declaring Rule 5(2)(a)(i) of the Andhra Pradesh Judicial Service Rules 2007, as substituted through amendment vide G.O.Ms.No.29, dt.28-07-2017, which mandates 3years practice as an Advocate as one of the essential pre-requisite condition to be eligible for appointment to the category of Civil Judge and in particular, Clause III (a) of the recruitment notification No.5/2019- RC, dt. 17 -06-2019, for the post of Civil Judge (Junior Division) issued by the 3rd Respondent herein as illegal, unconstitutional, arbitary and ultra vires and to consequently set aside the same and further direct the 3rd Repondent herein to forthwith allow the Petitioner herein to appear in the competitive exam for the post of Junior Civil Judge without insisting 3-years experience certificate as notified vide the Notification No. 5/2019-RC, dt. 17--06-2019 of the 3rd Respondent herein, in the interest of justice.

IA NO: 1 OF 2019

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 3rd Respondent herein to forthwith allow the Petitioner herein to appear in the competitive exam for the post of Junior Civil Judge without insisting 3-years experience certificate as notified vide the Notification No. 5/2019-RC, dt. 17-06-2019 of the 3rd Respondent herein in the interest of justice, pending disposal WP 9152 of 2019, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri DEVI PRASAD MANGALAPURI, Advocate for the Petitioner, GP for Home for the Respondent Nos.1 & 2 and of Sri A.V. Sivaiah, Standing Counsel for Respondent No.3, the Court made the following.

ORDER:

Heard the learned counsel for petitioner and the learned Standing Counsel for the Andhra Pradesh High Court.

This writ petition came to be filed challenging Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007, as substituted through amendment vide G.O.Ms.No.29, Law (LA&J-SC.F) Department, dated 28.07.2017, which mandates three

years of practice as an Advocate essential to be eligible for appointment to the category of Civil Judge.

It is to be noted that this Court, in similar writ petitions, viz., W.P.Nos.7934, 8692 and 8763 of 2019 filed by the similarly situated persons, laying challenge to the very same Rule noted above, heard both sides and observed that the matter requires hearing in detail since issue involves questions of law, more particularly, the power of the High Court, vis-à-vis the recommendations made by the Apex Court, judgments of different High Courts on the said aspect, the contrary view taken by the Bombay High Court, Chattisgarh High Court and High Court of Calcutta. Having observed so, this Court granted certain interim directions on 12.07.2019, owing to the fact that the closing date for submission of online application is on 16.7.2019 and test is scheduled to be conducted on 04.08.2019.

In the facts and circumstances, there shall be same interim directions in this case also.

Accordingly, the respondent authorities are directed to accept the online application of the petitioner, if it is otherwise found to be in order and permit her to attend the examination.

Any selection made in respect of the petitioner shall be subject to the result of the writ petition and the petitioner shall not claim any equities thereafter. Undertaking to that effect shall be taken, at the time of selection, in case the petitioner qualifies in the preliminary examination.

Post after three weeks.

Meanwhile, counters to be filed.

Sd/- U. SIVALEELA DEPUTY REGISTRAR DEPUTY REGISTRAR

//TRUE COPY//

For DEPUTY REGISTRAR

To

1. The Principal Secretary, Law Department, State of Andhra Pradesh Secretariat, Secretariat, Velagapudi, Amaravathi, Guntur District, A.P.

The Chief Secretary, LAW (LA and JSC.F) Department, State of Andhra Pradesh

Secretariat, Velagapudi, Amaravathi, Guntur District, A.P.

3. The Registrar (Administration),, FAC, Registrar (Recruitment) High Court of Andhra Pradesh, Amaravathi, Andhra Pradesh. (1 to 3 by RPAD)

4. The Registrar (Recruitment), High Court of Andhra Pradesh, High Court Building

5. One CC to SRI. DEVI PRASAD MANGALAPURI, Advocate [OPUC] 6. One CC to Sri A. Sivaiah, Standing Counsel, High Court of A.P (OPUC)

Two CCs to GP for Home ,High Court Of Andhra Pradesh. [OUT] 7. Two CCs to GP for Home High Court Of Andrira Frauesh [OUT] 8. Two CC to Advocate General, High Court of Andhra Pradesh (OUT)

HACJ & MSMJ

ORDER

DATED:15/07/2019

ORDER

WP.No.9152 of 2019

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