

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

THURSDAY, THE TWENTY FIRST DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

WRIT PETITION Nos.27814 AND 27205 OF 2019

WP.NO: 27814 OF 2019

Between:

J. Rajitha, D/o J.Balaiah, aged about 28 years, Un-employee, R/o Plot No.38, Balajinagar, B.N.Reddy Nagar Colony, Vanasthalipuram, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, MA and UD Department, Secretariat Buildings, Hyderabad.
2. The Commissioner and Director of Municipal Administration, AC Guards, Hyderabad.
3. The Telangana State Public Service Commission, Nampally, Hyderabad, rep.by its Secretary.
4. The Para Medical Board, Government of Telangana, Hyderabad.
5. The Bethesda Institute of Health Sciences, Visakhapatnam, rep. by its Secretary and Controller of Examination.

...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 by calling for the records relating to the Selection Notification No.19/2018, dt.27.7.2018 declaring the results on 11.12.2019 by omitting the hall ticket number of the petitioner is illegal, arbitrary and violative of the principles of natural justice and further direct the respondents to declare the petitioner as selected for the post of Sanitary Inspector/ Health Assistant in terms of the results declared by

the 3rd respondent dt.30.5.2019 and appoint the petitioner as Sanitary Inspector/ Health Assistant in any municipality.

I.A. 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 respondents to keep one post of Sanitary Inspector / Health Assistant vacant pending disposal of the writ petition.

Counsel for the Petitioner: SRI P.RAGHAVENDRA REDDY
Counsel for the Respondent Nos.1 & 2: GP FOR MCPL ADMN & URBAN DEV
Counsel for the Respondent No.3: SRI P.S.RAJASEKHAR, SC FOR TGpsc
Counsel for the Respondent Nos.4 & 5: --

WP NO: 27205 OF 2019

Between:

Vorsu Ravinder, S/o. Venkaiah, Aged about 39 years, Unemployeed, R/o. H.No. 1-9-315, Road No. 2, Dilsukhnagar, Hyderabad.

...PETITIONER

AND

1. The Telangana State Public Service Commission, Rep., by its Secretary, Nampally, Hyderabad.
2. The State of Telangana, Rep., by its Principal Secretary, MA and UD Department, Secretariat, Hyderabad.
3. The Commissioner and Director of Municipal Administration, Masabtank, Telangana State, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the Respondents in not considering the case of the Petitioner for selection and appointment to the post of Sanitary Inspector, pursuant to Recruitment Notification No. 19/2018, dt.27/07/2018, as illegal, arbitrary, unjust and violative of Articles 14, 16 and 21 of Constitution of India and consequently, direct the Respondents to appoint the Petitioner to the post of Sanitary

Inspector, as per his merit in the selection process considering the qualification of the Petitioner obtained from Bethesda Institute of Health Sciences, Visakhapatnam.

I.A. 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 Respondents to consider the case of the Petitioner for selection and appointment to the post of Sanitary Inspector, as per his merit in the selection process, along with others, pursuant to Recruitment Notification No. 19/2018, dt 27/07/2018.

I.A. NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 1st Respondent to furnish the Expert Committee Report dt: 09.08.2019, (Ref: Memo No. 556/Rectt-pool-11/3/2015, dt: 04.01.2020) which was the basis for not considering the case of the Petitioner for appointment to the post of Sanitary Inspector, in spite of his merit in the selection process.

Counsel for the Petitioner: SRI POODATTU AMARENDER

Counsel for the Respondent No.1: SRI P.S.RAJASEKHAR, SC FOR TGpsc

Counsel for the Respondent Nos.2 & 3: GP FOR MCPL ADMN & URBAN DEV

The Court made the following: COMMON ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

WRIT PETITION NO.27814 OF 2019

AND

WRIT PETITION NO.27205 OF 2019

DATED : 21.05.2026

W.P.No.27814 of 2019:

Between:

J.Rajitha

... Petitioner

AND

The State of Telangana, rep. by its Principal
Secretary, MA and UD Department,
Secretariat Buildings, Hyderabad and others

... Respondents

COMMON ORDER

In both the Writ Petitions, the challenge is to non-selection of the candidature of the petitioners to the posts of Sanitary Inspector / Health Assistant in terms of the results declared by Telangana State Public Service Commission (TSPSC), respondent No.3 in W.P.No.27814 of

2019 and respondent No.1 in W.P.No.27205 of 2019, on 30.05.2019 pursuant to the selections made under Notification No.19/2018 dt.27.07.2018, as illegal and arbitrary and consequently to direct the respondents to declare the petitioners as selected for the said posts and appoint them as Sanitary Inspector / Health Assistant in any municipality and to pass such other order or orders.

2. Brief facts are that the petitioner in W.P.No.27814 of 2019 claims to have passed B.Sc. (BZC) in 2011 and also possesses Public Health and Sanitation Technology Certificate from Bethesda Institute of Health Sciences, Visakhapatnam during the year 2012, while the petitioner in W.P.No.27205 of 2019 is a BC-A candidate and is physically challenged and claims to possess the prescribed qualifications for the Sanitary Inspector post. He also possesses the certificate from Bethesda Institute of Health Sciences, Visakhapatnam in Public Health and Sanitation Technology. Both the petitioners have applied for and participated in the selection process and the petitioner in W.P.No.27814 of 2019 secured State Rank No.7 for the post of Health Assistant and first rank in women quota with 85.123 marks out of 150 marks and for the post of Sanitary Inspector, she secured 12th rank in the State and first rank in the women quota. The petitioner in W.P.No.27205 of 2019

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secured 124th rank. The petitioners were called for certificates verification and on the ground that Bethesda Institute of Health Sciences, Visakhapatnam is not a recognized Institute and that they do not possess the necessary qualification, their cases were not considered for appointment. Challenging the same, the present Writ Petitions are filed.

3. Learned counsel for the petitioners has drawn the attention of this Court to the Notification No.19/2018 and also Notification No.20/2018 dt.27.07.2018 to demonstrate the prescribed qualifications. The prescribed qualification for the post of Sanitary Inspector in Notification No.19/2018 dt.27.07.2018 is as under:

Post Code	Name of the Post	Educational Qualifications as specified by the G.O.Ms.No.84, MA&UD (G1) Dept., Dt:14/02/2012.
01	Sanitary Inspector	<p>(i) Must possess a Bachelor's Degree in Biological Science from any University in India or incorporated by or under Central Act, Provincial Act, or a State Act or an Institution recognized by the UGC or an equivalent qualification.</p> <p>(ii) Sanitary Inspector Training Course certificate awarded by the Chairman, Board of Examinations constituted by the Government of Telangana or from Government of India / Government of Telangana Recognized Institution.</p>

The qualification prescribed for the post of Health Assistant in Notification No.20/2018 is as under:

Post Code	Name of the Post	Educational Qualifications as specified by the G.O.Ms.No.84, MA&UD (G1) Dept., Dt:14/02/2012 and G.O.Ms.No.161, MA&UD Dept., Dated:01/06/2016.
01	Health Assistant	(i) An Intermediate with Biological Science or 10+2 equivalent standard Biological Science as one of the subjects. (ii) A pass certificate in Multi Purpose Health Assistant Training Course / Sanitary Inspector Training Course certificate awarded by the Chairman, Board of Examinations constituted by the Government of Telangana or from Government of India / Government of Telangana Recognized Institution.

It is submitted that both the petitioners possessed the certificates from an Institute recognized by the Government of Telangana / Andhra Pradesh and therefore, their cases ought to have been considered for appointment.

4. In the counter affidavit filed by TSPSC, it is stated that the petitioners have obtained training certificates in Public Health and Sanitation Technology from Bethesda Institute of Health Sciences, Visakhapatnam which has not been recognized by Andhra Pradesh Para Medical Board. It is submitted that the qualifications have been

prescribed by the concerned Department to the post, which is the competent authority to prescribe such qualification and the respondents or this Court cannot interfere with the same. Learned Standing Counsel for TSPSC also submitted that the Hon'ble Supreme Court in Civil Appeal No.4597 of 2019 has held that the essential qualifications for appointment to a post are for the employer to decide and the employer may prescribe additional qualifications. It is submitted that TSPSC has no role to change / include the qualifications and training course since such matters are governed by the Special Rules / Service Rules prescribed by the Government. It is further submitted that in order to verify the certificates submitted by the candidates, subject Expert Committee was constituted, who has examined the applications of the candidates and submitted the report to the Public Service Commission and the Commission has considered the petitioners' training certificates obtained from Bethesda Institute of Health Sciences, Visakhapatnam and the case of the petitioner in W.P.No.27814 of 2019 was not considered because she has studied Public Health and Sanitation Technology instead of Sanitary Inspector Training Course / Multi Purpose Health Assistant Training Course Certificate prescribed by the Department.

5. In the counter affidavit filed by TSPSC in W.P.No.27205 of 2019, it is stated that the petitioner in W.P.No.27205 of 2019 has obtained training in the course of Public Health and Sanitary Technology as against the prescribed Sanitary Inspector training course / Multi Purpose Health Assistant training course certificate.
6. Learned Standing Counsel for TSPSC has filed a copy of memo dated .01.2020, wherein the petitioner in W.P.No.27814 of 2019 was informed about rejection of her candidature as she did not pass necessary and prescribed qualification for the post of Sanitary Inspector. Similarly, a copy of memo dt.04.01.2020 is also filed in the case of the petitioner in W.P.No.27205 of 2019. A copy of the proceedings of the Committee is also filed along with the memo.
7. In respect of the petitioner in W.P.No.27205 of 2019 in the counter affidavit, it is stated that the petitioner therein has obtained training course of Public Health and Sanitation Technology as against the prescribed Sanitary Inspector training course / Multi Purpose Health Assistant training course certificate.

8. The petitioner in W.P.No.27205 of 2019 has filed reply affidavit on 18.02.2026 stating that Bethesda Institute of Health Sciences, Visakhapatnam is a recognized Institute by Government of India *vide* G.O.Ms.No.84, Health, Medical and Family Welfare (J2) Department, dt.26.03.2002 and that the Government of Telangana also has adopted the said qualification *vide* G.O.Ms.No.161, Municipal Administration and Urban Development (D2) Department, dt.01.06.2016. The copies of the said G.Os., are also filed along with the reply affidavit. As regards the contention of the respondents that the petitioners did not possess the necessary and prescribed qualification, it is submitted that *vide* G.O.Ms.No.84 dt.26.03.2002, the rules were amended by adding certificate of Public Health and Sanitary Technology awarded by Bethesda Institute of Health Sciences, Visakhapatnam as one of the qualifications to the post of Health Assistant in addition to the earlier prescribed qualification. It is submitted that the Government had issued G.O.Ms.No.23 dt.23.01.2008 derecognizing the qualification awarded by Bethesda Institute of Health Sciences, Visakhapatnam and aggrieved by the same, Bethesda Institute of Health Sciences, Visakhapatnam filed W.P.No.1790 of 2008 and interim order of suspension of the proceedings was granted and thereafter, the Government also issued

G.O.Rt.No.219 dt.21.06.2008 omitting the certificates of Bethesda Institute of Health Sciences, Visakhapatnam from the rules and aggrieved by the same, another Writ Petition in W.P.No.15722 of 2008 was filed and this Court has granted interim suspension of the said G.O. on 22.07.2008 and thereafter, the Government also issued G.O.Ms.No.30 dt.09.02.2012 and the consequential memo dt.27.02.2013 permitting Bethesda Institute of Health Sciences, Visakhapatnam to impart training, subject to the outcome of W.P.No.1790 of 2008. It is submitted that the said Writ Petition is pending as on the date of filing of the reply affidavit. It is submitted that based on the interim orders of the High Court, the Government of Andhra Pradesh has issued instructions to the candidates to register their names in Para Medical Board *vide* memo dt.27.02.2013 and several of the candidates have been promoted as Sanitary Inspectors on the very same qualification by the Government. As regards the Expert Committee report, it is stated that the Expert Committee has not examined the certificates of the petitioners and the comment of the Committee is vague and non-speaking. Therefore, according to the petitioners, their case was rejected mechanically without any basis and as contrary to rules. Enclosed is a copy of the information received by

him under the Right to Information Act to submit that the persons with the very same certificates have been considered and they have not only been appointed but also promoted as Health Assistants based on the educational qualification, seniority, caste, etc. Therefore, he seeks a direction to the respondents to consider the case of the petitioner in W.P.No.27205 of 2019 for appointment as Health Assistant or Sanitary Inspector, as the case may be.

9. Having regard to the rival contentions and the material on record, this Court finds that the only issue to be considered in this case is whether the petitioners possess necessary qualification and whether the certificate granted by Bethesda Institute of Health Sciences, Visakhapatnam is a valid one. As noted above, necessary qualification has been prescribed by the Department and it is the prerogative of the employer to prescribe necessary qualification. The prescribed qualification for the post of Sanitary Inspector is Sanitary Inspector training course certificate and for the post of Health Assistant, it is Multi Purpose Health Assistant training course / Sanitary Inspector training course in addition to possessing necessary graduation certificate. The petitioner in W.P.No.27814 of 2019 as well as the petitioner in W.P.No.27205 of 2019 possessed the certificates in Public Health and

Sanitation Technology from Bethesda Institute of Health Sciences, Visakhapatnam. By virtue of the orders of this Court, the certificates issued by the said Institute are valid. The only issue is whether the certificate in Public Health and Sanitation Technology can be considered to be equivalent to the certificate in Sanitary Inspector Training/Multi-Purpose Health Assistant Training? The Expert Committee appears to have examined the certificates of the petitioners herein and have held that the petitioners do not possess the prescribed qualification. The reasons for coming to such a conclusion are missing from the report. It is not known as to whether it is rejected because of non-recognition of the Institute or it is for not possessing the necessary qualification. As seen from the letter issued by the Government of Telangana *vide* Letter No.J/D/607/2025 dt.28.10.2025, as per the available records and information furnished, the National Classification of Occupations (NCO-2015) lists, the course 'Public Health & Sanitation Technology' under Code 089.30 is the same as that of the 'Sanitary Inspector' course i.e., 089.30 and hence, both courses are treated as the same as per the NCO codes issued by the Government of India. It is further submitted that the TSPSC is not the competent authority to decide on eligibility criteria for any post, qualification

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and/or eligibility criteria and the same are decided by the respective departments as per the job chart and service rules of that department. Therefore, it appears that the certificates possessed by the petitioners are for the very same course of Sanitary Inspector and therefore, they ought to have been considered by TSPSC and at least TSPSC ought to have sought a clarification thereon. As submitted by the learned counsel for the petitioners that initially Bethesda Institute of Health Sciences, Visakhapatnam has been derecognized and the said de-recognition has been suspended by the interim orders of this Court in W.P.No.1790 of 2008 and the interim orders are still subsisting and therefore, the certificates issued by the said Institute have to be considered to be valid and cannot be disregarded.

10. In view of the above, this Court is inclined to set aside the impugned Memos No.556/Rectt-pool-II/3/2015 dt. 01.2020 and dt.04.01.2020 issued by Telangana State Public Service Commission, Hyderabad and the respondents are directed to reconsider the case of the petitioners for appointment in the available vacancies with all consequential benefits.

11. The Writ Petitions are accordingly allowed. No order as to costs.

12. Pending miscellaneous petitions, if any, in these Writ Petitions shall stand closed.

**SD/- A.SREENIVASA REDDY
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, MA and UD Department, Secretariat Buildings, Hyderabad, State of Telangana.
2. The Commissioner and Director of Municipal Administration, AC Guards, Hyderabad.
3. The Secretary, Telangana State Public Service Commission, Nampally, Hyderabad.
4. The Para Medical Board, Government of Telangana, Hyderabad.
5. The Secretary and Controller of Examination, Bethesda Institute of Health Sciences, Visakhapatnam.
6. One CC to SRI P.RAGHAVENDRA REDDY, Advocate [OPUC]
7. Two CCs to GP FOR MCPL ADMN & URBAN DEV, High Court for the State of Telangana, at Hyderabad. [OUT]
8. One CC to SRI. POODATTU AMARENDER Advocate [OPUC]
9. One CC to SRI P.S.RAJASEKHAR, SC FOR TGpsc [OPUC]
10. Two CD Copies

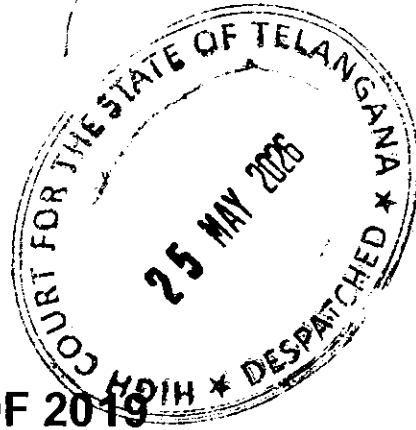
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VACATION COURT

HIGH COURT

DATED: 21/05/2026



COMMON ORDER

WP.Nos.27814 AND 27205 OF 2019

ALLOWING THE WRIT PETITIONS
WITHOUT COSTS

(13) NT
25/5/26