

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THURSDAY, THE NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND

THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT APPEAL Nos.337, 338, 341 AND 342 OF 2026

WA.NO: 337 OF 2026

Writ Appeal under clause 15 of the Letters Patent preferred against the order dated 16/12/2025 in WP.No.37361 of 2025 on the file of the High Court.

Between:

Telangana Public Service Commission, Rep. by its Secretary, Nampally,
Hyderabad.

...APPELLANT

AND

1. Yenagandula Mahender, S/o Bheemaiah, Aged about 27 years, Occ Not employed, R/o 106, Golem Wada Narayanpur Village, Rebbena Mandal, Adilabad District.
2. The State of Telangana, Represented by its Principal Secretary, Higher Education Department, Secretariat Hyderabad.
3. State of Telangana, Represented by its Secretary(Services), General Administration Department, Secretariat, Hyderabad.

...RESPONDENTS

I.A. NO: 3 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the orders dated 16.12.2025 in WP No. 37361 of 2025, pending disposal of the writ appeal.

Counsel for the Appellant: SRI P.S.RAJASEKHAR, SC FOR TGPSC
Counsel for the Respondent No.1: SRI M.V.RAMA RAO
Counsel for the Respondent Nos.2 & 3: SRI S.SUMAN GP FOR SERVICES-III

WA NO: 338 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred Against the Order
Dated 16/12/2025 in WP.No. 30708 of 2025. on the file of the High Court.

Between:

Telangana Public Service Commission, Rep. by its Secretary, Nampally,
Hyderabad.

...PETITIONER/APPELLANT

AND

1. Kachu Rajitha, D/o Raja Mallaiah, Age. 34 years, Occ. House Wife, R/o H.No.3-25, Choppdandi, Karimnagar District
2. The State of Telangana, Rep. by its Principal Secretary to Government, Women Development and Child Welfare Department, Dr. B.R.Ambedkar Telangana State Secretariat, Hyderabad.
3. Smt. Supriya, D/o. Not known, Age. Not known, Hall Ticket bearing No.2111811103, C/o Telangana Public Service Commission, Hyderabad

...RESPONDENTS/RESPONDENTS

I.A. NO: 3 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the orders dated 16/12/2025 in WP.No.30708 of 2025, pending disposal of the writ appeal.

Counsel for the Appellant: SRI P.S.RAJASEKHAR, SC FOR TGPSC
Counsel for the Respondent No.1: SRI M.SURENDER RAO, SENIOR COUNSEL
FOR SRI SRINIVASA RAO MADIRAJU
Counsel for the Respondent No.2: SRI S.SUMAN, GP FOR SERVICES-III
Counsel for the Respondent No.3: --

WA NO: 341 OF 2026

Writ Appeal under clause 15 of the Letters Patent Filed Against the order dated 16/12/2025 in Writ Petition No.30836 of 2025. on the file of the High Court.

Between:

Telangana Public Service Commission, Rep. by its Secretary, Hyderabad

...PETITIONER/APPELLANT

AND

1. Cherukuri Sunitha, D/o Krishnaiah, Aged 39 years, R/o H.No.1-66/1, Lingala Village, Kallur Mandal, Khammam District.
2. The State of Telangana, Rep. by its Principal Secretary to Government, Women Development and Child Welfare Department, Dr. B.R. Ambedkar Telangana State Secretariat, Hyderabad.

...RESPONDENTS

I.A. NO: 3 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the orders dated 16.12.2025 in WP No. 30836 of 2025, pending disposal of the writ appeal.

Counsel for the Appellant: SRI P.S.RAJASEKHAR, SC FOR TGPSC

**Counsel for the Respondent No.1: SRI M.SURENDER RAO, SENIOR COUNSEL
FOR SRI SRINIVASA RAO MADIRAJU**

Counsel for the Respondent No.2: SRI S.SUMAN, GP FOR SERVICES-III

WA NO: 342 OF 2026

Writ Appeal under clause 15 of the Letters Patent Preferred Against Order
Dated 16/12/2025 in WP.No.30699 of 2025. on the file of the High Court.

Between:

The Telangana Public Service Commission, Rep. by its Secretary, Hyderabad.

...PETITIONER/APPELLANT

AND

1. Anoosha Sepuri, D/o. Shankar Goud, Age .38 years, Occ. Unemployee R/o. H.No. 4-85, Julapalli Village and Mandal, Peddapalli District.
2. The State of Telangana, Rep. by its Principal Secretary to Government, Women Development and Child Welfare Department, Dr. B.R. Ambedkar Telangana State Secretariat, Hyderabad

...RESPONDENTS/RESPONDENTS

I.A. NO: 3 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the orders dated 16.12.2025 in WP No. 30699 of 2025, pending disposal of the writ appeal.

Counsel for the Appellant: SRI P.S.RAJASEKHAR, SC FOR TGPSC

**Counsel for the Respondent No.1: SRI M.SURENDER RAO, SENIOR COUNSEL
FOR SRI SRINIVASA RAO MADIRAJU**

Counsel for the Respondent No.2: SRI S.SUMAN, GP FOR SERVICES-III

The Court made the following: COMMON JUDGMENT

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

**THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND**

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT APPEAL Nos.337, 338, 341 and 342 of 2026

DATE: 09.04.2026

W.A.No.337 of 2026

Between:

Telangana Public Service
Commission, rep. by its Principal
Secretary, Nampally, Hyderabad

....Appellant

And

Yenagandula Mahender and
2 others

....Respondents

W.A.No.338 of 2026

Between:

Telangana Public Service Commission,
rep. by its Principal Secretary,
Nampally, Hyderabad

....Appellant

And

Kachu Rajitha and 2 others

....Respondents

W.A.No.341 of 2026

Between:

Telangana Public Service Commission,
rep. by its Principal Secretary,
Nampally, Hyderabad

....Appellant

And

Cherukuri Sunitha and another

....Respondents

W.A.No.342 of 2026**Between:**

Telangana Public Service Commission,
rep. by its Principal Secretary,
Nampally, Hyderabad

....Appellant**And**

Anoosha Sepuri and another

....Respondents**COMMON JUDGMENT**

(Per Hon'ble Sri Justice G.M.Mohiuddin)

Since the issues that arise in the above writ appeals are integrally one and the same, the writ appeals are being disposed of by this Common Judgment.

2. W.A.No.337 of 2026 is directed against W.P.No.37361 of 2025; W.A.No.338 of 2026 is directed against W.P.No.30708 of 2025; W.A.No.341 of 2026 is directed against W.P.No.30836 of 2025 and W.A.No.342 of 2026 is directed against W.P.No.30699 of 2025.

3. All the aforesaid writ appeals are against orders dated 16.12.2025 passed in W.P.Nos.37361, 30708, 30836, and 30699 of 2025 by the learned Single Judge.

4. Heard Sri P.S.Rajasekhar, learned Standing Counsel for Telangana Public Service Commission for appellant; Sri. M.V.Rama Rao, learned counsel appearing for respondent No.1 in W.A.No.337 of 2026; Sri M.Surender Rao, learned Senior Counsel representing Sri Srinivasa Rao Madiraju, learned counsel for respondent Nos.1 in

W.A.No.338, 341 and 342 of 2026; Sri. S.Suman, learned Government Pleader for Services-III appears for respondent No.2 in W.A.No.338 of 2026 and perused the record.

Factual matrix

5. The appellant – Telangana State Public Service Commission (hereinafter referred to as, “TGPSC”) issued recruitment notifications bearing Notification Nos.29 of 2022 and 11 of 2022 for filling up various Group-III posts, including the post of Extension Officer (Supervisor) Grade-I. Pursuant thereto, the respondents-writ petitioners (hereinafter referred to as “the private respondents”), who are residents of the State of Telangana, applied for the said posts and participated in the selection process, on the basis of the requisite educational qualifications possessed by them, namely Bachelor of Commerce (B.Com) and/or Master of Arts (M.A.) in Sociology/Social Work, which were obtained through the distance education mode from Acharya Nagarjuna University (ANU), a State University situated in Guntur, Andhra Pradesh.

6. A statement showing the writ appeals and the writ petitions arising and the corresponding notification along with the date and the post notified thereunder and the qualifications of the writ petitioners, is tabulated hereunder for the sake of convenience:

WA's	WP's	Notification	Date	Post	Qualification	From
337/2025	37361/2025	29/2022	30.12.2022	Gr.III	B.Com	ANU
338/2026	30708/2025	11/2022	27.08.2022	EO- Group-I	MA (Sociology)	ANU
341/2026	30836/2025	11/2022	27.08.2022	EO- Group-I	MA (Sociology)	ANU
342/2026	30699/2025	11/2022	27.08.2022	EO- Group-I	MA (Social Work)	ANU

7. However, the said courses were pursued by them through study centres of the said University located within the State of Telangana, including through arrangements which were in the nature of study centres, operating beyond the territorial jurisdiction of the parent University.

8. During the process of certificate verification, the TGPSC scrutinised the educational credentials of the candidates with reference to the conditions stipulated in the recruitment notifications and upon such verification, the candidature of the private respondents came to be rejected on the ground that the degrees obtained by them through distance mode from study centres situated outside the territorial jurisdiction of ANU were not valid, in view of the binding norms prescribed by the University Grants Commission (UGC), more particularly Public Notice No.F.27-1/2012 (CPP-II) dated 27.06.2013. The said stipulation was also expressly incorporated as a condition in the subject recruitment notifications.

9. Aggrieved thereby, the private respondents filed the respective writ petitions before the learned Single Judge, asserting that their degrees could not be treated as invalid, particularly in view of Section 95 of the Andhra Pradesh Reorganisation Act, 2014 (for short, "Reorganisation Act") and G.O.Ms.No.178 dated 18.05.2014 and that similarly situated candidates possessing degrees obtained from the same University through distance mode had been considered and appointed in earlier selections. The rejection of private respondents' candidature by the TGPSC, despite their inclusion in the zone of consideration based on merit and ranking in the General Ranking List, was assailed as arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution of India.

10. The learned Single Judge, placing reliance upon the common order dated 12.12.2025 passed in W.P.No.25837 of 2024 and batch, disposed of the underlying writ petitions *vide* order 16.12.2025 with a direction to the official respondents to consider the cases of the private respondents for appointment based on their merit and eligibility, "*as was done in the cases of appointment/promotions of similarly situated candidates.*" The learned Single Judge proceeded on the premise of parity with earlier instances of appointment without adjudicating the validity of the degrees in the light of the governing statutory and regulatory framework.

11. Aggrieved by the said orders dated 16.12.2025, the appellant-TGPSC has preferred the aforesaid writ appeals.

Submissions on behalf of the Appellant-TGPSC

12. Learned Standing Counsel appearing for the appellant-TGPSC, advanced submissions assailing the impugned orders dated 16.12.2025 as under:

- i) That the degrees possessed by the private respondents are void ab initio insofar as public employment is concerned. It is submitted that ANU, being a State University constituted under the A.P.Universities Act, 1991 (for short '1991 Act'), has its territorial jurisdiction confined to the districts of Guntur and Prakasam, and any operation beyond such territorial limits, including establishment of study centres in the State of Telangana, is in clear violation of its parent statute as well as the binding regulatory framework prescribed by the UGC.
- ii) That the UGC Public Notice dated 27.06.2013, issued under the provisions of the UGC Act, 1956, carries statutory force and is binding on all Universities. Particular emphasis is placed on clause (b) thereof, which mandates that a State University shall operate only within the territorial jurisdiction allotted to it under its Act and in no case beyond the territory of the State of its location. That the recruitment notifications issued by the TGPSC also expressly incorporated the said

condition, thereby casting an obligation upon the candidates to demonstrate the validity and recognition of their degrees, which the private respondents have failed to discharge.

- iii) That the learned Single Judge has erred in placing reliance upon Section 95 of the Reorganisation Act, as the said provision is limited in its scope to ensuring "equal opportunities" in admissions to educational institutions for a transitional period and does not confer authority upon a University to act beyond its territorial jurisdiction or in derogation of the UGC regulations governing distance education.
- iv) That the direction of the learned Single Judge, founded on instances of past appointments, is legally unsustainable, inasmuch as even if certain candidates with similar qualifications were appointed in the past, such appointments, being contrary to law, cannot be relied upon to claim parity. It is further submitted that Article 14 of the Constitution of India embodies a positive concept and cannot be invoked to perpetuate illegality or to claim what is commonly referred to as "symmetry of illegality," the doctrine of negative equality being a complete bar to such claims.
- v) That the learned Single Judge has failed to follow the decision in W.P.No.3006 of 2021, dated 17.08.2022, wherein it was categorically held that degrees obtained through distance mode

from ANU via study centres situated in the State of Telangana are invalid for the purposes of higher education as well as public employment in the State.

- vi) That the private respondents, having consciously participated in the recruitment process with full knowledge of the eligibility conditions stipulated in the notification, are estopped from challenging the same upon being unsuccessful. Having taken a calculated chance, the private respondents cannot be permitted to turn around and assail the process merely on account of an unfavourable outcome.

Submissions on behalf of the respondents (writ petitioners)

13. Learned counsel appearing for the respondents (writ petitioners), supported the impugned orders and contended that the same does not warrant interference and advanced the submissions as under:

- i) That ANU was a University of the erstwhile composite State of Andhra Pradesh, and by virtue of Section 95 of the Reorganisation Act, read with G.O.Ms.No.178 dated 18.05.2014, the existing admission regime and institutional arrangements stood protected for a period of ten years, and the degrees obtained by the private respondents during the said transitional period are valid for all purposes, including public employment.

- ii) That the action of the TGPSC is arbitrary and discriminatory, inasmuch as similarly situated candidates possessing identical qualifications from ANU have been appointed and promoted in various departments, even subsequent to the issuance of the UGC Public Notice of 2013. The selective rejection of the private respondents, while extending benefits to others, is alleged to be violative of Articles 14 and 16 of the Constitution of India.
- iii) That the TGPSC, having accepted the applications of the private respondents, issued hall tickets and permitted them to participate in the selection process without demur, cannot turn around at the stage of final selection and question the validity of their qualifications.
- iv) That the private respondents have placed on record certificates issued by ANU indicating that the distance education programmes pursued by them were recognised by the UGC/Distance Education Bureau (DEB). It is contended that once the course itself is recognised, the degree cannot be invalidated solely on the ground that the study centre was located outside the territorial limits of the University, such aspect being an administrative arrangement within the domain of the University.

14. We have taken note of the respective submissions urged and the material placed on record.

Consideration by this Court

15. The fulcrum of the entire dispute is based on the validity of the degrees possessed by the private respondents, in the light of the statutory framework governing the University, the UGC regulations, and the conditions stipulated in the recruitment notifications. The ANU, constituted under the 1991 Act, has its territorial jurisdiction confined to the districts of Guntur and Prakasam. The UGC Public Notice dated 27.06.2013 mandates that a State University shall operate only within its territorial limits and not beyond, which has already been considered and affirmed by a learned Single Judge in W.P. No. 3006 of 2021.

16. In the present case, the private respondents pursued their courses through study centres located in the State of Telangana, which is beyond the territorial jurisdiction of the said University. In view of the above, the degrees so obtained cannot be treated as valid for the purposes of public employment, the same having been acquired through a mechanism not sanctioned by the governing statutory and regulatory framework.

17. Further, the reliance placed on Section 95 of the Reorganisation Act, is misconceived, as the said provision is a transitional arrangement intended to ensure continuity in matters of admissions and to provide equal opportunities in access to higher education for a limited period. It does not confer any substantive

right upon Universities to operate beyond their territorial jurisdiction, nor does it dilute or override the statutory mandate of the UGC or the provisions of the parent enactment governing the University. Any interpretation to the contrary would amount to enlarging the scope of the provision beyond its legislative intent and cannot be countenanced.

18. The learned Single Judge has granted relief primarily on the basis of past instances where similarly placed candidates were appointed. In the considered view of this Court, such reasoning cannot be sustained in law.

19. It is well settled that Article 14 of the Constitution embodies a positive concept and cannot be invoked to perpetuate an illegality. The doctrine of 'negative equality', as laid down by the Hon'ble Supreme Court in **State of Bihar v. Upendra Narayan Singh and others¹** is as follows:

34.....By now it is settled that the guarantee of equality before law enshrined in Article 14 is a positive concept and it cannot be enforced by a citizen or court in a negative manner. If an illegality or irregularity has been committed in favour of any individual or a group of individuals or a wrong order has been passed by a judicial forum, others cannot invoke the jurisdiction of the higher or superior Court for repeating or multiplying the same irregularity or illegality or for passing wrong order

(Emphasis supplied)

20. The appellant-TGPSC, being a constitutional authority has a paramount duty to conduct recruitments strictly in accordance with

¹ (2009) 5 SCC 65

the law, and cannot be compelled to repeat an illegality on the ground of past practice.

21. It is also to be noted that in W.P.No.3006 of 2021, dated 17.08.2022, it has categorically held that distance education degrees obtained from ANU through study centres situated in the State of Telangana are not valid for the purposes of employment in the State.

22. Further, this Court in W.A.Nos.176 of 2026 and batch, has allowed the appeals and set aside the common order dated 12.12.2025 in W.P.No.25837 of 2024 and batch, which formed the basis of the impugned order. This Court has unequivocally held that degrees obtained from ANU under the Distance Education Mode through extra-territorial study centres in Telangana established in violation of the mandatory UGC Regulations lack validity and do not constitute valid qualifications for employment. In such circumstances, sustaining the impugned order would entail an impermissible departure from an established precedent and would offend the settled principles of judicial discipline.

Conclusion

23. For the foregoing reasons, this Court is of the considered view that the degrees possessed by the private respondents do not constitute valid qualifications for the purposes of public employment in the State of Telangana. The condition stipulated in the recruitment notification being explicit, the action of the appellant-

TGPSC in rejecting the candidature of the private respondents cannot be faulted. The learned Single Judge was not justified in directing consideration of their cases on merits, when the very eligibility of the candidates stood vitiated. Therefore, the impugned orders suffers from patent illegality and are liable to be set aside.

24. Accordingly, the Writ Appeals are allowed. The orders dated 16.12.2025 passed by the learned Single Judge in W.P.Nos.37361, 30708, 30836 and 30699 of 2025 are hereby set aside, and the said Writ Petitions shall stand dismissed.

Consequently, miscellaneous petitions pending if any shall stand closed. No costs.

//TRUE COPY//

SD/- B.SATYAVATHI
JOINT REGISTRAR



SECTION OFFICER

One Fair Copy to the Hon'ble THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
(For His Lordships Kind Perusal)

AND

One Fair Copy to the Hon'ble Sri Justice G.M.MOHIUDDIN
(For His Lordships Kind Perusal)

To

1. 11 LR Copies.
2. The Under Secretary, Union of India Ministry of Law, Justice and Company Affairs, New Delhi.
3. The Secretary, Telangana Advocates Association Library, High Court Buildings, Hyderabad.
4. The Secretary, Telangana Public Service Commission, Nampally, Hyderabad.
5. The Principal Secretary, Higher Education Department, Secretariat Hyderabad, State of Telangana.
6. The Secretary(Services), General Administration Department, Secretariat, Hyderabad, State of Telangana.
7. The Principal Secretary to Government, Women Development and Child Welfare Department, Dr. B.R. Ambedkar Telangana State Secretariat, Hyderabad, State of Telangana.
8. One CC to SRI P.S.RAJASEKHAR, SC FOR TGPSC [OPUC]
9. One CC to SRI M.V.RAMA RAO, Advocate [OPUC]

10. One CC to SRI SRINIVASA RAO MADIRAJU, Advocate [OPUC]

11. Two CCs to GP FOR SERVICES-III, High Court for the State of Telangana, at Hyderabad. [OUT]

12. Two CD Copies

PSK.

TKS

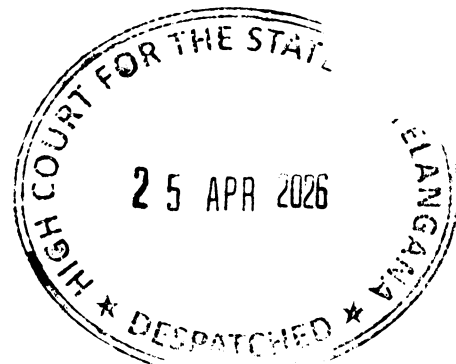


HIGH COURT

DATED: 09/04/2026

COMMON JUDGMENT

WA.Nos.337, 338, 341 AND 342 OF 2026



**ALLOWING THE WRIT APPEALS
WITHOUT COSTS**

(27) NT
24/4/26.