

APHC010070962026



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3208]

WEDNESDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 4035/2026

Between:

N.rajendra Prasad,

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. VMR LEGAL

Counsel for the Respondent(S):

1. GP FOR SERVICES II

The Court made the following:

ORDER:-

Heard learned counsel for the petitioner and Ms. V. Dyumani, learned Standing Counsel for Tirumala Tirupathi Devasthanam (TTD), appearing for the respondents.

2. The petitioner in the present Writ Petition is working Attender at the S.V. Museum, Tirumala. The instant Writ Petition is filed seeking a direction to the respondent for payment of the minimum time scale attached to the respective posts and for regularization of his services.

3. The contention of the petitioner is that he was appointed against sanctioned post after following a due selection process. It is further contended that the TTD, after selecting the candidates and subjecting them to regular training, handed them over to an outsourcing agency in order to escape the liability of paying the time scale attached to the posts and to continue them in the capacity of contractual employees. In this regard, the learned Counsel for the petitioner placing reliance on judgment of the Hon'ble Supreme Court in the case of ***Nihal Singh and Others Vs. State of Punjab and Others*** and the decision of this Court in W.P.Nos.4964 of 1989 and 5476 of 1989 contends that the petitioner is entitled for regularization of his services.

4. In W.P.No.39457 of 2022, the Tirumala Tirupathi Devasthanam filed a counter affidavit contending that it is bound by the Rules relating to regularization framed under G.O.Ms. No.1090, dated 24.10.1989. It is further contended that the petitioner is not entitled for regularization, having regard to the fact that the petitioner was not appointed by following the procedure for regular recruitment and that his services were availed through a private agency.

It is further contended that in view of agreement with TTD by the service provider for supply of manpower and the clauses contained therein, the petitioner cannot be considered as an employee of TTD, as there is no master and servant relationship between the writ petitioner and the TTD.

5. In W.P.No.3337 of 2022, the Tirumala Tirupathi Devasthanam filed a counter affidavit contending that the petitioner was not appointed by TTD through any selection process and that he did not possess the requisite qualifications for the posts in which he claim to be working. It is denied that a selection committee was duly constituted or that any selection procedure was followed for his appointment. It is further stated that the petitioner cannot compare himself with persons working in Gosamrakshana Shaala or with drivers in the Transport Department. Since he was not appointed through a selection process, he is not entitled to regularization on the pretext of the length of service rendered by him. As TTD did not have any opportunity to examine the suitability of the petitioner for the post in question, the petitioner cannot seek regularization of his services.

6. The learned counsel for the petitioner, placing reliance on the decision of the Hon'ble Apex Court in the case of ***Nihal Singh and Others Vs. State of Punjab and Others***¹, contends that the respondents having extracted work for all these years on payment of meagre salaries, cannot take undue advantage of their economic status and expect him to work for the same meagre

¹ (2013) 14 Supreme Court Cases 65

payments. It is further argued that TTD, which is a Hindu religious institution existing for propagation of Dharma, is expected to ensure that justice is done to its employees in all respects.

7. The learned Counsel for the petitioner further places reliance on the judgment of the erstwhile composite High Court of Hyderabad in ***W.P.Nos.4964 & 5476 of 1989*** and contends that TTD is an independent body and is not obligated to obtain approval from the state government for all its orders/proceedings.

8. The learned Counsel further places reliance on the decision of this Court in ***W.A.Nos.361 of 2018 & Batch & W.P.Nos.11233 of 2016 & 25754 of 2017***, seeks regularization of the services.

9. The learned Counsel for the petitioner places reliance on the following judgments:-

i) The decision of the Hon'ble Apex Court in the case of ***Shripal and Another Vs. Nagar Nigam, Ghaziabad***², as observed as under:

“13. The claim by the respondents that these were not regular posts lacks merit, as the nature of the work performed by the appellants was perennial and fundamental to the functioning of the offices. The recurring nature of these duties necessitates their classification as regular posts, irrespective

² 2025 SCC Online SC 221

of how their initial engagements were labelled. It is also noteworthy that subsequent outsourcing of these same tasks to private agencies after the appellants' termination demonstrates the inherent need for these services. This act of outsourcing, which effectively replaced one set of workers with another, further underscores that the work in question was neither temporary nor occasional."

ii) The decisions of the Hon'ble Apex Court in the cases of **Jaggo Vs. Union of India & Others**³, and in the case of **Dharam Singh & Others Vs. State of U.P & another**⁴,

iii) And the decision of this Court in **W.P.Nos.29403 & 38488 of 2018 dated 03.04.2018**, and further places reliance on the **proceedings of the TTD dated 26.12.2022**, whereby the services of TTD Forest Workers were regularized.

10. Considered the rival submissions and perused the material available on record.

11. Having regard to the contentions advanced, I am afraid that the decision of this Court in **W.P.Nos.11233 of 2016 & 25754 of 2017** would not be applicable to the instant case. Having regard to the fact that in said cases, TTD had invited applications for engaging the tonsurers after constituting a committee,

³ 2024 Online SC 3826

⁴ 2025 AIR (SC) 3897

it had allowed them to render services on piece rate basis. The subsequent appointment in the said category were also through a selection committee constituted in the said regard, this Court had taken into consideration the factum of the cadre strength fixed, this Court had observed that the TTD is not subordinate to the State government, therefore it need not seek permission from the government on the issue of regularizing in as much as the cadre strength had already been fixed.

12. In view of the above, placing reliance on the decisions of the Hon'ble Apex Court in the cases of ***Jaggo Vs. Union of India & Others***, and ***Dharam Singh & Others Vs. State of U.P & another*** and further placing reliance on the decision of Coordinate Bench of this Court in ***W.P. Nos.29403 and 38488 of 2018 dated 03.04.2018***, the Writ Petition is disposed of granting liberty to the petitioner to file a separate representation seeking Regularization of his services/Minimum Time Scale, before the 2nd respondent – Board, mentioning the date of appointment and furnishing details regarding the duties discharged by him, within a period of three (3) weeks from the date of receipt of a copy of this order. Upon receipt of such representation, the 2nd respondent – Board, after calling for necessary reports, if any, from the Executive Officer of TTD, shall pass appropriate orders within a period of six (6) months thereafter.

13. Till final orders are passed on the representations to be filed by the petitioner, the 2nd respondent shall continue the services of the petitioner, if he is presently continuing, and shall continue to pay the minimum time scale as directed by this Court in earlier interim orders. During the pendency of consideration of the representations, the respondents shall not take any coercive steps to discontinue the services of the petitioner.

14. With the above observation, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, all pending miscellaneous applications shall stand closed.

D. RAMESH, J

Date:11.02.2026

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THE HONOURABLE SRI JUSTICE D. RAMESH

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Date:11.02.2026

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