

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE TWENTY FOURTH DAY OF DECEMBER

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 9977 OF 2023

Between:

K. Balakrishna, S/o. Venkataiah.

...Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary to Government, Tribal Welfare Department, Telangana State Secretariat, Hyderabad.
2. The Commissioner, Tribal Welfare, DSS Bhavan, Telangana State, Hyderabad.
3. The District Collector (Tribal Welfare), Nalgonda, Nalgonda District.
4. The District Tribal Development Officer, Nalgonda, Nalgonda District.
5. P. Veeraanjaneyulu, S/o. Manikyam Age 48 years, Occ. Grade-II Hostel Welfare Officer, Govt ST Boys, Marriguda, Nalgonda District.
6. B. Siaram, S/o. Paramdhamulu,, Aged about 54 years, Occ Hostel Welfare Officer, Grade - II, Government STBH (Reg), Suryapet Town and Mandal, Suryapet District.
7. T. Venkateswarulu, S/o. Rangaiah,, Aged about 51 years, Occ Hostel Welfare Officer, Grade I, Government STBH (B), Miryalaguda Town and Mandal, Nalgonda District.
8. B. Laxman, S/o. Not Know,, Aged about 45 years, Occ Hostel Welfare Officer, Grade II, Government STBH, AD Pally, Nalgonda District.
9. Y. Srinivas Reddy, S/o. Yadi Reddy,, Aged about 42 years, Occ Hostel Welfare Officer, Grade II, Government STBH , Thirumalagiri (Sagar), Nalgonda District.
10. D. Sonaraju, S/o. Sudharshanam,, Aged about 41 years, Occ Hostel Welfare Officer, Grade II, Government STBH (C), Miryalaguda Town and Mandal, Nalgonda District.

As per court order dated 03.12.2024 vide IA.No.2 of 2024 in WP.No. 9977 of 2023. Respondents No.6 to 10 are impleaded.

...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:-

- A) To declare the entire action of the respondents, particularly the entire action of the 2nd respondent in issuing the present impugned proceedings Rc. No. A1/4064/2021 dt.16/3/2023, wherein while issuing speaking orders over the representations of the petitioner, which was made for assigning notional seniority / promotion , but directing the 4th respondent to revise the seniority list of Grade - II Hostel Welfare Officers, drawn vide proce. Rc.No. TW1/1055/2020 dated 7/5/2021 3rd respondent by mentioning circular Memo dated 5/11/2022 of the 2nd respondent, completely ignoring the relevant special rules including general rules, for the purpose of determining the inter-se-seniority is as highly illegal, arbitrary, unjust, improper, clear violation of principle of natural justice, total non application mind, as well as contrary to various judicial pronouncements in the subject matter and set aside or quash the same.
- B) Further hold that the final seniority list drawn in the cadre of Hostel Welfare Officers, Grade - II vide Proces. Rc. No. TW1/1055/2020 dated 7/5/2021 of the 3rd respondent is holds good for all the purposes, including for the purpose of effecting further promotions.
- C) And consequently to direct the respondents to forth with to redraw the seniority of the petitioner vis-a-vis others in the cadre of Grade - II Hostel Welfare Officers working in the erstwhile Nalgonda District in terms of ranking assigned by the Public Service Commission by duly taking into consideration of passing of departmental tests prescribed in the special rules r/w general rules is the criteria without reference to the present impugned orders issued in proceedings Rc. No. A1/4064/2021 dt.16/3/2023, of the 2nd respondent.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents to forth with to redraw the seniority of the petitioner vis-à-vis others in the cadre of Grade - II Hostel Welfare Officers working in the erstwhile Nalgonda District in terms of ranking assigned by the Public Service Commission by duly taking into consideration of passing of departmental tests prescribed in the special rules r/w general rules is the criteria by suspending the present impugned orders issued in proceedings Rc. No. A1/4064/2021 dt.16/3/2023, of the 2nd respondent, pending disposal of WP No.9977 of 2023, 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 the order of the High Court dated: 13.04.2023 made in I.A.No.1 of 2023 and 29.12.2023, 09.01.2024, 24.01.2024, 14.02.2024, 29.02.2024, 14.03.2024, 28.03.2024, 04.04.2024, 16.04.2024, 23.04.2024, 05.06.2024, 13.06.2024, 21.06.2024, 19.07.2024, 26.07.2024, 06.08.2024, 21.08.2024, 29.08.2024, 03.09.2024, 11.09.2024, 19.09.2024, 24.09.2024, 01.10.2024, 04.10.2024, 24.10.2024, 30.10.2024, 07.11.2024, 19.11.2024, 20.11.2024, 26.11.2024 and 03.12.2024 made herein and upon hearing the arguments of SRI. K.S.V. SUBBA RAO Advocate for the Petitioner, THE ADDITIONAL ADVOCATE GENERAL for the Respondent Nos.1 to 4 and SRI. M. RAMGOPAL RAO Advocate for the Respondent No.5, the Court made the following.

ORDER:

At the request of learned Additional Advocate General, for filing counter, post on 28.01.2025. ✓

Till then, interim order earlier granted by this court is extended.

SD/-A.SRINIVASA REDDY
ASSISTANT REGISTRAR

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//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. K.S.V. SUBBA RAO, Advocate [OPUC].
2. Two CCs to THE ADDITIONAL ADVOCATE GENERAL, High Court for the State of Telangana at Hyderabad [OUT].
3. One spare copy

HIGH COURT

PKJ

DATED: 24.12.2024

POST ON 28.01.2025

ORDER

WRIT PETITION NO: 9977 OF 2023

INTERIM ORDER EXTENDED

