



2026:TSHC:8224

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

**TUESDAY, THE FIFTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX**

**PRESENT
THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI**

CONTEMPT CASE NO: 1541 OF 2025

Contempt Case U/s 10 to 12 of Contempt of Courts Act to punish the respondents herein for willful violation and intentional deliberation of the clear and categorical and mandatory orders of the High Court made in W.P.No.7919 of 2023 dated 27.09.2023.

Between:

Diddy Ramesh Babu, S/o Satyanarayana, Aged. 45 years, Occ. Terminated Contract Lecturer in Physics of Technical Education, Govt Polytechnic for Women, Medak, R/o H. No.2-45, Ambaripet, Post 86 village, DomakondaMandalam, Kamareddy District 503123

...PETITIONER

AND

- 1. .Sri N. Sridhar, S/o Prabhakar, Aged. 52 yrs, Occ. IAS Principal Secretary for Higher Education TE Department Secretariat, Hyderabad, Telangana**
- 2. Smt.A.Sridevasena, W/o Not known, Aged 50yrs, Commissioner of Technical Education Government of Telangana, Hyderabad, T.S**
- 3. C.Sreenath, S/o Not Known, Aged. 52yrs, Regional Joint Director of Technical Education, Department of Technical Education Government of Telangana, Vidya Bhavan, Nampally, Hyderabad, T.S.**
- 4. S.Bhavani, D/o not known Aged about. 52yrs, Principal Government Polytechnic for Women, Medak Medak District - 502110**

...RESPONDENTS

Counsel for the Petitioner(s): Sri. Saman Aafreen

**Counsel for the Respondents: SRI S.RAHUL REDDY SPL.GP
REP.ADDL ADVOCATE GENERAL**

The Court made the following: ORDER



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

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

CONTEMPT CASE No.1541 OF 2025

Dated : 05.05.2026

Between:

Diddy Ramesh Babu

...Petitioner

AND

Sri N. Sridhar S/o Prabhakar, Aged 52 years,
Occ: IAS, Principal Secretary for Higher Education TE Department,
Secretariat, Hyderabad, Telangana and 3 others.

...Respondents

ORDER

This Contempt Case is filed alleging wilful violation, deliberate disobedience, and intentional non-compliance with the direction of this Court in W.P.No.7919 of 2023 dated 27.09.2023.

2. *Vide* order dated 27.09.2023 in W.P.No.7919 of 2023, this Court had directed the respondents to consider and continue the petitioner in service as a Contract Lecturer, if there is a vacancy, subject to the verification report to be received from the University about his certificates. It was also observed that the petitioner shall not claim any



equity on the basis of the said order, as the same was passed to protect the interest of the petitioner, if his certificates are said to be certified to be genuine by the University.

3. Aggrieved by the said order, the respondents filed W.A.No.1120 of 2023 before the Division Bench of this Court, and *vide* order dated 30.01.2024, the Division Bench of this Court dismissed the same. Thereafter, a review application was also filed by the respondents before the Division Bench, which was also dismissed *vide* order dated 24.01.2025. In spite of the same, the respondents did not continue the petitioner in service, and therefore, the present contempt case has been filed.

4. Respondent No.2 has filed a counter affidavit stating that, after dismissal of the review petition, a proposal was submitted to respondent No.1 *vide* File No.CTE-EST2/SMSL/14/2023-ESTABLISHMENT-2-CTE, dated 26.07.2025, for implementation of the orders of the Hon'ble Single Judge of this Court, subject to verification of the genuineness of the certificates and that orders from respondent No.1 in the matter are awaited. It is further stated that a clarification petition has been filed to clarify the order of the Hon'ble High Court in Review Petition I.A.No.1 of 2024 in W.A.No.1120 of 2023 and the same is pending.



5. Learned counsel for the petitioner reiterated the submissions made in the contempt petition and submitted that the respondents have willfully violated the orders of this Court and are therefore liable for punishment.

6. Learned Special Government Pleader submitted that the respondents have due respect for the orders of this Court and that, only on account of the pendency of the writ appeal and the review therein, the orders could not be complied with. He placed reliance upon the judgment of the High Court of Sikkim in the case of *Jyoti Agarwal v. State of Sikkim and others in W.P.(C).No.56 of 2018*, dated 16.08.2021, wherein the validity of certificates issued by EIILM University was considered and it was held that, except for three disciplines, i.e., B.A.(Hospitality & Tourism), BCA, and MBA, for students admitted within the territorial jurisdiction of the State of Sikkim based on the admission records available with the University Sikkim Campus/State Government, degrees in other disciplines beyond the academic year 2009-2010 shall not be valid. Therefore, according to learned Special Government Pleader, the certificates produced by the petitioner for academic year 2010-2011 are not valid. He further submitted that the said judgment has been confirmed by the Division Bench of the



concerned Court and that the SLP filed there against has also been dismissed.

7. To prove their *bona fides*, it is submitted that the respondents have taken appropriate steps to comply with the directions of this Court, subject to verification of the certificates. Learned Special Government Pleader referred to the communication sent by respondent No.2 to respondent No.1 on 26.07.2025.

8. The case was treated as heard on 21.11.2025 and was reserved for orders.

9. Thereafter, the respondents have filed a memo dated 19.12.2025 enclosing therewith a letter dated 18.12.2025 received from the University Grants Commission, in response to the e-mail of the respondents dated 10.12.2025, clarifying that M.Sc.(Physics) from EIILM University is not approved by UGC-DEB and that the year-wise recognition status of universities approved to offer education through distance mode, along with approved programmes, is already in public domain and can be accessed at UGC website www.ugc.ac.in. It was further stated that EIILM University has been dissolved by the State Government *vide* Cabinet decision dated 28.04.2015, and that the respondents were directed to approach the Secretary, Higher Education,



Government of Sikkim, for any assistance or complaint, since it was State private university. Also enclosed is a letter dated 09.09.2009 issued by the Distance Education Council, Indira Gandhi National Open University, in respect of EIILM University, Jorethang District, to demonstrate that only B.A. (Hospitality & Tourism), BCA, and MBA programmes were recommended for one year. Further, a letter dated 04.09.2013 issued by the UGC to the Vice-Chancellor, EIILM University, warning the University against conducting courses outside its campus and offering its programmes through franchising arrangements with private coaching institutions or other private parties, even for the purpose of conducting the courses through distance mode is enclosed. Also enclosed therewith is the proceedings of respondent No.2, dated Nil, rejecting the request of the petitioner for consideration of his candidature for engaging as Contract Lecturer in Physics, holding that the qualification of M.Sc.(Physics) obtained through distance mode from EIILM University during the period from 2010-2011 cannot be treated as valid in view of the communication of the UGC.

10. The matter was therefore re-listed for hearing.

11. Learned counsel for the petitioner submitted that the impugned rejection order is undated and has been passed only for the purpose of



evading the contempt proceedings. It is further submitted that, in spite of the direction to continue the petitioner in service till the certificates are verified, the respondents have not done so and therefore, contempt still subsists.

12. Having regard to the rival contentions and the material on record, this Court finds that the direction to continue the petitioner in service till the certificates are verified was issued on 27.09.2023, and the writ appeal was dismissed on 30.01.2024, and the contempt case was filed on 30.04.2024. The review in the writ appeal was also dismissed on 24.01.2025. Thereafter, the petitioner has made several representations. On the ground that the certificates of the petitioner were not verified, and no communication has been received from EIILM University the order of this Court was not complied with. Even if the certificates were ultimately found to be invalid, the respondents ought to have complied with the directions of the Court and, thereafter, after receipt of the communication about the verification, taken appropriate action. Therefore, this Court is of the opinion that there has been non-compliance with the directions of this Court. However, whether such disobedience has been deliberate is to be seen. The respondents appeared to have been waiting for confirmation from the University for



complying with the directions. However, this was not the intent of the order. The order was very clear that, pending verification, the petitioner has to be continued in service. The Hon'ble Supreme Court in the case of **Tayabhai M. Bagasarwalla and another v. Hind Rubber Industries Pvt. Ltd.**¹ while considering similar situation has held as under:

"17. In *Shiv Chander Kapoor v. Amar Bose, J.S.Verma, J.* speaking for a three-Judge Bench observed thus, with reference to the statement of law at pp.351-53 of *Wade's Administrative Law* (6th Edn.): (SCC p. 247, para 23)

"[V]oid' is meaningless in an absolute sense; and 'unless the necessary proceeding are taken at law to establish the cause of invalidity and to get it quashed or otherwise upset, it will remain as effective for its ostensible purpose as the most impeccable of orders'. In the words of Lord Diplock, 'the order would be presumed to be valid unless the presumption was rebutted in competent legal proceedings by a party entitled to sue'."

18. To the same effect is the opinion of Jagannatha Shetty, J. in *State of Punjab & Ors. v. Gurdev Singh*. (SCC p.6, paras 7-9)

"If an Act is void or ultra vires it is enough for the court to declare it so and it collapses automatically. It need not be set aside. The aggrieved party can simply seek a declaration that it is void and not binding upon him. A

¹ (1997) 3 SCC 443



declaration merely declares the existing state of affairs and does no 'quash' so as to produce a new state of affairs.

But nonetheless the impugned dismissal order has at least de facto operation unless and until it is declared to be void or nullity by a competent body or court. In Smith v. East Elloe Rural District Council, (AC at p.769: All ER at p. 871) Lord Radcliffe observed: 'An order, even if not made in good faith, is still an act capable of legal consequences. It bears no brand of invalidity on its forehead. Unless the necessary proceedings are taken at law to establish the cause of invalidity and to get it quashed or otherwise upset, it will remain as effective for its ostensible purpose as the most impeccable of orders.'

Apropos to this principle, Prof. Wade states: (See Wade: Administrative Law, 6th edn., p.352)' the principle must be equally true even where the 'brand' of invalidity is plainly visible; for there also the order can effectively be resisted in law only by obtaining the decision of the court. Prof. Wade sums up these principles: (Ibid)

'The truth of the matter is that the court will invalidate an order only if the right remedy is sought by the right person in the right proceedings and circumstances. The order may be hypothetically a nullity, but the court may refuse to quash it because of the plaintiff's lack of standing, because he does not deserve a discretionary remedy, because he has waived his rights, or for some other legal reason. In any such case, the 'void' order remains effective and is, in reality, valid. It follows that an order may be void



for one purpose and valid for another; and that it may be void against one person but valid against another."

19. We may also refer to yet another decision of this Court in *Ravi S.Naik v. Union of India* (SCC atp. 662) S.C. Agrawal, J., speaking for the Division Bench, observed: (SCC p. 662, para 40)

"In the absence of an authoritative pronouncement by this Court the stay order passed by the High Court could not be ignored by the Speaker on the view that his order could not be a subject-matter of court proceedings and his decision was final. It is settled law that an order, even though interim in nature, is binding till it is set aside by a competent court and it cannot be ignored on the ground that the court which passed the order had no jurisdiction to pass the same. Moreover the stay order was passed by the High Court which is a superior Court of Record, 'in the case of a superior Court of Record, it is for the court to consider whether any matter falls within its jurisdiction or not. Unlike a court of limited jurisdiction, the superior Court is entitled to determine for itself questions about its own jurisdiction. (See: Special Reference No.1 of 1964; (Keshav Singh, Re)⁶; (Mulraj v. Murti Raghonathji Maharaj)⁷)"

20. The Allahabad and Madras High Courts have also taken the same view. In *State of U.P. v. Ratan Shukla*, the Allahabad High Court observed:

"The fact that Shri S.M. Ifrahim had no jurisdiction to hear the appeals, however, does not mean that no



contempt could be committed of him. So long as he was seized of the appeals, no contempt could be committed of him.

It is not the law that a court dealing with a matter which is beyond its jurisdiction can be contemned with impunity or that the liability of a person to be punished for contempt of a court depends upon whether the court was acting within its jurisdiction at the time when it is alleged to have been contemned. The opposite party, therefore, cannot claim that he is not guilty of contempt because Shri S.M. Ifrahim had no jurisdiction to decide the appeals."

21. *In Nalla Senapati Sarkarai Mandariar Pallayakottai v. Shri Ambal Mills Pvt. Ltd. similar view has been expressed - without of course deciding the question finally. Quoting Oswald on Contempt (1910 Edn. At p. 106), the Court observed: "An order irregularly obtained cannot be treated as a nullity, but must be implicitly obeyed, until by a proper application, it is discharged."*

22. *In D.M. Samyulla v. Commissioner, Corporation of the City of Bangalore & Ors., the Karnataka High Court stated the law in the following terms, with reference to the decision of the Court of Appeal in Hadkinson v. Hadkinson:*

"The principle laid down in the said decision is, a party who knows an order, whether it is null or valid, regular or irregular, cannot be permitted to disobey it and it would be dangerous to allow the party to decide as to whether an order was null or valid or whether it was regular or irregular".



13. Therefore, this Court is of the opinion that there has been deliberate violation or non-compliance with the directions of this Court by the respondents/contemnors 1 to 4 and each of the respondents are liable for punishment of fine of Rs.2,000/- (Rupees Two Thousand only) under Sections 10 and 12 of the Contempt of Courts Act, 1971 and in case of default, they shall undergo simple imprisonment for a period of seven (07) days.

14. With the above observations, this Contempt Case is allowed.
There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall also stand dismissed.

//TRUE COPY//

SD/- A.V.S.PRASAD
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. Sri N. Sridhar, S/o Prabhakar, Aged. 52 yrs, Occ. IAS Principal Secretary for Higher Education TE Department Secretariat, Hyderabad, Telangana
 2. Smt.A.Sridevasena, W/o Not known, Aged 50yrs, Commissioner of Technical Education Government of Telangana, Hyderabad, T.S
 3. C.Sreenath, S/o Not Known, Aged. 52yrs, Regional Joint Director of Technical Education, Department of Technical Education Government of Telangana, Vidya Bhavan,Nampally, Hyderabad,T.S.
 4. S.Bhavani, D/o not known Aged about. 52yrs, Principal Government Polytechnic for Women,Medak Medak District – 502110
 5. The Director General of Police, Lakdikapul, State of Telangana, Hyderabad.
 6. The Registrar (Judicial) High Court for the State of Telangana at Hyderabad
 7. The Section Officer, O.S.Section, High Court for the State of Telangana at Hyderabad
 8. One CC to M/s SAMAN AAFREEN Advocate [OPUC]
 9. Two CCs to Additional Advocate General, High Court of Telangana (OUT)
 10. Two CD Copies
- Ks/KA

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2026:TSHC:8224

HIGH COURT

DATED: 05/05/2026

ORDER

CC.No.1541 of 2025



**Allowing the Contempt Case
Without costs.**

**PARTLY ALLOWING THE
APPEAL/DISMISSING/DISPOSING/CLOSING**

(13)
21/05/26
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