



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

WEDNESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

WRIT PETITION NO: 21447 OF 2021

Between:

Sidda Santhosh, S/o. Late Sidda Shankar, Aged about 31 years, Occ ; Un-Employee, R/o. D. No.1-29, Appannapet, Peddapalli, Peddapalli Mandal, Karimnagar District.

.....PETITIONER

AND

1. The Singareni Collieries Company Limited, Rep. by its Chairman and Managing Director, Singareni Bhavan, Red Hills, Hyderabad.
2. The Director (PA and W), The Singareni Collieries Company Limited (SCCL), Ramagundam Area-I, Peddapalli District.
3. The General Manager (Personnel), Welfare and CSR, The Singareni Collieries Company Limited (SCCL), Welfare Wing, Corporate Personnel Department, Singareni Bhavan, Hyderabad.
4. The Deputy General Manager, GDK-2and2A Incline, The Singareni Collieries Company Limited (SCCL), Ramagundam -I Area, Peddapalli District.
5. The Singareni Collieries Manager, GDK-2and2A Incline, The Singareni Collieries Company Limited(SCCL), Ramagundam -I Area, Peddapalli District.

.....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 in the nature of Writ of Mandamus, declaring that the action of the 2nd Respondent of the 1st Respondent Company in issuing Circular in Ref. No.CRP/PER/IR/C/ 081/305 dated 09.03.2018, by providing employment to the disabled persons only in a prospective manner, by rejecting the request of the petitioner for providing employment as per the Letter No.R.G.1/GDK-2/2A/W-14/3052 dated 13.08.2018,



2026:TSHC:5245

as illegal, improper, arbitrary, unjust, contrary to the provisions of the Mines Act, 1952 and its Rules, 1955, contrary to the National Coal Wages Agreement -VI, violative of the Articles 14, 16 and 21 of the Constitution of India and unconstitutional and set aside the same, by holding that the petitioner is eligible, qualified and entitled for dependant employment in the 1st Respondent Company with all consequential benefits from the date of his application".

(Prayer is amended as per Court Order dated 17/09/2021 in I.A.No.2/2021).

I.A.NO:1 OF 2021

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 appointment in any suitable post in which he is eligible, qualified and entitled as per the circular in Ref. No.CRP/PER/IR/C/081/305 dated 09/03/2018, issued by the 2nd Respondent, without reference to the letter No.R.G.1/GDK-2/2A/W-14/3052 dated 13/08/2018 issued by the 5th Respondent, pending disposal of the above writ petition and to pass

Counsel for the Petitioner : SRI CH.VENKAT RAMAN

Counsel for the Respondents : SRI P.SRI HARSHA REDDY (SC FOR SINGARENI COLLIERIES CO.LTD)

The Court made the following ORDER



2026:TSHC:5245

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

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

WRIT PETITION No.21447 OF 2021

DATE : 18.03.2026

Between:

Sidda Santhosh

...Petitioner

AND

The Singareni Collieries Company Limited, Rep. by its
Chairman and Managing Director, Singareni Bhavan,
Red Hills, Hyderabad and 4 others.

...Respondents

ORDER

This Writ Petition is filed seeking a Writ of Mandamus declaring the action of respondent No.2 of respondent No.1-company in issuing Circular in Ref.No.CRP/PER/IR/C/081/305, dated 09.03.2018, by providing employment to the disabled dependants, only prospectively, and in rejecting the request of the petitioner for dependent employment *vide* Letter No.R.G.I/GDK-2/2A/W-14/3052, dated 13.08.2018, as illegal, arbitrary and contrary to the provisions of the Mines Act, 1952,



2026:TSHC:5245

TMD,J
WP_21447_2021

and Rules framed thereunder in 1955 and the National Coal Wages Agreement-VI; and consequently to set aside the same by holding that the petitioner is eligible, qualified and entitled for dependant employment in respondent No.1-company with all consequential benefits from the date of his application and to pass such other order or orders.

2. Brief facts leading to the filing of the present Writ Petition are that the petitioner's father, late Sidda Shankar, was working with the respondents-Company and he died on 20.04.2017 in a road accident while proceeding to attend his duties. It is stated that the petitioner, his mother and his two sisters are the legal heirs of the deceased employee. It is further stated that on 19.06.2017, the petitioner along with his mother made a representation to respondent No.4 seeking dependent employment to the petitioner as he was the only person to look after the welfare of the family. No objection letters from the sisters of the petitioner were also filed. However, the request of the petitioner was rejected *vide* letter dated 20.07.2017 on the ground that the petitioner is a 90% differently-abled person and, therefore, was not eligible for dependent employment. It is further stated that the respondent-company



subsequently issued a Circular dated 09.03.2018 extending the benefit of dependant employment to the disabled dependants of deceased employees. In view of the said Circular, the petitioner and his mother again made representations dated 29.03.2018 and 03.05.2018 requesting reconsideration of his claim for dependant employment. However, *vide* letter dated 13.08.2018, the petitioner's mother was informed that the Circular dated 09.03.2018 was not applicable to the petitioner, as the name of the petitioner's father was deleted from the rolls of the respondents-Company on 21.04.2017, whereas the Circular came into force only on 09.03.2018 and she was directed to opt either for monthly monetary compensation or for a one-time payment of Rs.12,50,000/-. It is stated that the petitioner has completed his graduation in B.Com-General from Sathavahana University and is fully eligible for appointment to any post in respondent No.1-company. It is stated that the respondents are showing discrimination due to his disability by not providing dependant employment to the petitioner in spite of issuance of the Circular dated 09.03.2018. Challenging the same, the present Writ Petition has been filed.



2026:TSHC:5245

TMD,J
WP_21447_2021

4

3. Learned counsel for the petitioner reiterated the above submissions.

4. The learned Standing Counsel for the respondents-Company, relying upon the averments made in the counter-affidavit, submitted that the Circular dated 09.03.2018 was applicable only prospectively and not retrospectively and therefore, it was not applicable to the petitioner's case.

5. Having regard to the rival contentions and the material on record, this Court finds that the petitioner's father died on 20.04.2017 and the dependants of the deceased employee were eligible for dependent employment; however, the petitioner's claim was not considered solely on the ground that he is 90% disabled. However, after issuance of Circular dated 09.03.2018, the petitioner became eligible for dependent employment and the respondents ought to have considered his case in terms thereof. As per the guidelines issued by the respondent-Company, an application for dependant employment has to be made within a period of one (01) year from the date of death of the employee. In the present case, the petitioner has made a representation within the stipulated period



2026:TSHC:5245

TMD,J
WP_21447_2021

5

of year and thereafter another representation to consider his case under circular dated 09.03.2018, which came to be issued pursuant to the direction of this Court in W.P.(PIL)No.19 of 2017. Therefore, this Court is inclined to set aside the impugned letter dated 13.08.2018 and the respondents-Company is directed to reconsider the case of the petitioner for compassionate appointment in terms of Circular dated 09.03.2018 and to provide him dependent employment to the post of Badli worker or any other equivalent post in the surface area, subject to his fulfilling the requisite eligibility criteria. The decision taken in this regard shall be communicated to the petitioner within a period of three (03) months from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No order as to costs.

7. Miscellaneous applications, if any, pending in this writ petition, shall stand closed.

SD/- P. PONNA KRISHNA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Chairman and Managing Director, Singareni Collieries Company Limited Singareni Bhavan, Red Hills, Hyderabad.
2. The Director (PA and W), The Singareni Collieries Company Limited (SCCL), Ramagundam Area-I, Peddapalli District.
3. The General Manager (Personnel), Welfare and CSR, The Singareni Collieries Company Limited (SCCL), Welfare Wing, Corporate Personnel Department, Singareni Bhavan, Hyderabad.



2026:TSHC:5245

4. The Deputy General Manager, GDK-2and2A Incline, The Singareni Collieries Company Limited (SCCL), Ramagundam -I Area, Peddapalli District.
5. The Singareni Collieries Manager, GDK-2and2A Incline, The Singareni Collieries Company Limited(SCCL), Ramagundam -I Area, Peddapalli District.
6. One CC to SRI CH.VENKAT RAMAN, Advocate [OPUC]
7. One CC to SRI P.SRI HARSHA REDDY (SC FOR SINGARENI COLLIERIES CO.LTD) Advocate [OPUC]
8. Two CD Copies

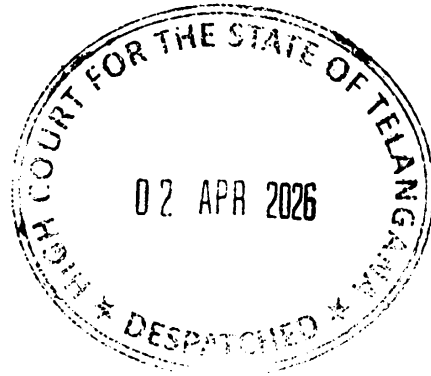
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2026:TSHC:5245

HIGH COURT

DATED:18/03/2026



ORDER

WP.No.21447 of 2021

**DISPOSING OF THE W.P
WITHOUT COSTS.**

(11) *lpr*
31/3/26