

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
FRIDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE PULLA KARTHIK
WRIT PETITION NO: 19149 OF 2024

Between:

B.Sudarshanam, S/o Rajarathnam

Petitioner

AND

1. The State of Telangana, Rep by the Principal Secreter, S.C. Development Department, Government of Telangana, HYDERABAD.
2. The Commissioner, S.C. Development Department, Government of Telangana, HYDERABAD.
3. The District Collector, Hanumakonda District (Previously Warangal District)
4. The Deputy Director, Schedule Caste Development Dept., Hanumakonda

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 a WRIT OF MANDAMUS declaring the action of the Respondents herein in withholding the Settlement of Full Pension and Retirement Benefits like Gratuity, Commutation and value of pension, encashment of leave salary and Final G.P.F. amount etc. and Re-fix the pay under revised pay scales from time to time on the ground of pendency of disciplinary proceedings initiated against the Petitioner herein vide Charge Memo Pro.No.B1/621/2000, dated 22.07.2000 for Rs.64,135/- pertaining to SW Boys Hostel, (B) Parkal and another Charge Memo vide Charge Memo Pro.No.B1/621/2000, dated 22.07.2000 for Rs.37,725/- pertaining to SW Boys Hostel, Chityal and another Charge Memo vide Charge Memo Pro.No.B1/621/2000, dated 22.07.2000 pertaining to SW Boys Hostel, (B) Ghanpur, Mulugu is illegal, unjust, unfair, arbitrary, unconstitutional and violation of Principles of Natural Justice and contrary to the Rule 9 (6) of the Telangana Revised Pension Rules and no departmental proceedings so far commenced in terms of Rule 9 (6) of T.S. Revised Pension Rules and consequently direct the Respondents herein to consider the case of the Petitioner for settlement of full pension and retirement benefits without reference to the above three charge memos dated 22.07.2000;

IA NO: 1 OF 2024

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 herein to direct the Respondent Nos. 2 to 4 to implement the Memo No.159/SCD.Vig/2023, dated 25.02.2023 by releasing the retirement benefits i.e., encashment of leaves, 80% death-cum- Gratuity and Final Payment of GPF as per G.O.Rt.No.1097, Fin. and Prg (FE.Pen.I) Dept., dated. 22.06.2000, Pending disposal of WP 19149 of 2024, 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 upon hearing the arguments of SRI R. PRABHAKAR Advocate for the Petitioner, GP FOR SERVICES for the Respondents, the Court made the following.

ORDER

Notice before Admission.

Learned Government Pleader for Services takes notice on behalf of the respondents, waives further notice and seeks time to file counter.

Registry is directed not to take out notice to the respondents in view of the above waiver.

Having regard to the submissions made by learned counsel for the petitioner, there shall be interim direction to respondent Nos.2 to 4 to pay the retirement benefits to the petitioner in terms of G.O.Rt.No.1097, Finance and Planning (FE.Pen.I) Department, dated 22.06.2000 by implementing the Memo No.159/SCD.Vig/2023, dated 25.02.2023.

Post on 30.08.2024 for counter.

//TRUE COPY//

**SD/- V.KAVITHA
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Principal Secreter, The State of Telangana, S.C. Development Department, Government of Telangana, HYDERABAD.
2. The Commissioner, S.C. Development Department, Government of Telangana, HYDERABAD.
3. The District Collector, Hanumakonda District (Previously Warangal District)
4. The Deputy Director, Schedule Caste Development Dept., Hanumakonda (RR 1 to 4 by RPAD)
5. One CC to SRI. R. PRABHAKAR Advocate [OPUC]
6. Two CCs to GP FOR SERVICES, High Court at Hyderabad [OUT]
7. One spare copy

HIGH COURT

PKJ

DATED:19/07/2024

POST ON 30.08.2024 FOR COUNTER

ORDER

WP.No.19149 of 2024

INTERIM DIRECTION

