

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE FOURTH DAY OF OCTOBER TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY
WRIT PETITION NO: 23288 OF 2021

Between:

Smt. K. Laxmi, W/o. Late Narasaiah,

Petitioner

AND

1. State of Telangana, Rep. by its Principal Secretary, Endowments Department, Secretariat Buildings, Hyderabad.
2. The Commissioner, Endowments Department, Endowments Buildings, Bogulkunta, Tilak Road, Abids, Hyderabad - 500001.
3. The Executive Officer, Sri Anjaneeya Swamy Devasthanam, Muthyampeta Village, Mallial Mandal, Karimnagar District, Telangana - 505452.

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 of Mandamus or any other appropriate Writ or Writs, Order or Direction, decking the concomitant proceedings of the Respondent No. 2 vide L.Dis.No. B1/2426/2020 dated 10/03/2020, L.Dis.No. B1/2426/2020 dated 18/08/2020, L.Dis.No. B1/2426/2020 dated 03/10/2020 and L.Dis.No. B1/2426/2020 dated 08/02/2021, in repeatedly rejecting the claim of the Petitioner for extension of pay scale and grant of benefits contemplated under G.O.Rt. No. 121, dated 09/03/2018, as illegal, awry, high handed, discriminatory, illogical, rational, tainted with malice and biased notions and void, being in derogation of Articles 14, 16 and 21 of the Constitution of India, so also, the provision of Telangana Charitable and Hindu Religious Institutions and Endowments Act, 1987 and the rules framed thereunder and consequently direct the Respondent No. 2 to extend the pay scale to the Petitioner and grant all benefits contemplated under G.O.Rt. No. 121, dated 09/03/2018, with a further direction to the Respondent No. 2, to give all service benefits to the Petitioner to which he is entitled to under G.O. Rt. No. 121, dated 09/03/2018 on par with the similarly suited employees,;

IA 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 No. 2 to pay the petitioner minimum of the pay scales of regularly engaged employees, discharging similar duties in the various temples under the control of the Respondent No. 2, pending disposal of WP 23288 of 2021, on the file of the High Court.

IA NO: 2 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 No. 2 to grant the benefits under G.O.Rt. No. 121, dated 09/03/2018 to the Petitioner, pending disposal of WP 23288 of 2021, on the file of the High Court.

The petition/Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI M SATISH KUMAR Advocate for the Petitioner and AGP FOR ENDOWMENTS for the Respondents 1 & 2 and Sri K Jagan Mohan Reddy (S.C.) for the respondent 3, the Court made the following.

ORDER:

Learned counsel for the petitioner vehemently contends that in respect of the same Devasathanam, while the 2nd respondent issued proceedings dated 23.10.2018, whereby four sweepers were appointed on regular basis and seven supernumerary posts were created, out of which three sweepers were regularised and were sanctioned regular pay scales, the impugned proceedings were issued by the 2nd respondent taking entirely a reversal stand stating that G.O.Ms.No.121 dated 09.03.2018 is not applicable.

Heard learned Assistant Government Pleader for Endowments appearing for respondent Nos.1 and 2 and learned Standing Counsel for respondent No.3/ Devasthanam and also perused the record.

In the facts and circumstances of the case, there shall be interim direction to respondent No.2 to pay minimum of pay scales to the petitioner on par with the regularly engaged employees, discharging similar duties, until further orders.

Post 'for hearing' on 15.11.2021.

SD/- K ONESIM
Assistant Registrar

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Endowments Department, State of Telangana, Secretariat Buildings, Hyderabad.
2. The Commissioner, Endowments Department, Endowments Buildings, Bogulkunta, Tilak Road, Abids, Hyderabad - 500001.
3. The Executive Officer, Sri Anjaneeya Swamy Devasthanam, Muthyampeta Village, Mallial Mandal, Karimnagar District, Telangana - 505452. (1 to 3 by RPAD)
4. One CC to SRI. M SATISH KUMAR Advocate [OPUC]
5. Two CCs to GP FOR ENDOWMENTS, High Court at Hyderabad. [OUT]
6. One spare copy

HIGH COURT

BVRJ

DATED:04/10/2021

POST 'FOR HEARING' ON 15.11.2021

ORDER

WP.No.23288 OF 2021

INTERIM DIRECTION

