

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

:PRESENT:

THE HONOURABLE SRI JUSTICE PULLA KARTHIK  
WRIT PETITION NO: 19999 OF 2024

Between:

Dr. P.V. Shiva, S/o. late P.V. Sharma Aged 60 years, Occ. Professor of Anaesthesia, (Osmania Medical College), Niloufer Hospital, Hyderabad, Telangana.

Petitioner

AND

1. The State of Telangana, Rep. by its Special Chief Secretary to Government Finance (HRM-I) Department, Secretariat Building, Hyderabad.
2. The State of Telangana,, Rep. by its Principal Secretary to Government, Health, Medical and Family Welfare Department, Secretariat Building, Hyderabad.
3. The Director of Medical Education, State of Telangana, Sultan Bazar Koti, Hyderabad, Telangana
4. The Principal, Osmania Medical College Hyderabad, Telangana
5. The Superintendent, Niloufer Hospital, Red Hills, Hyderabad.
6. The State of Telangana, Rep. by its Principal Secretary to Government General Administration (Services) Department Secretariat Building, Hyderabad.
7. Dr. G. Hanumantha Rao, Professor of Anaesthesia MGM Hospital, Warangal.
8. Dr. A. Muralidhar, Professor of Anaesthesia Gandhi Medical College, Secunderabad.
9. Dr. A. Anuradha, Professor of Anaesthesia Osmania Medical College, Hyderabad.

...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 under Article 226 of the Constitution of India, declaring the G.O.Ms.No.80, Finance (HRM.I) Department, dated 03/07/2024 issued by the 1<sup>st</sup> Respondent, as arbitrary, illegal, void and without jurisdiction, unconstitutional, violating Articles 14, 16 and 21 of the Constitution of India, apart from violating Rule 38 of the State and Subordinate Service Rules, which was issued under Proviso to Article 309 of the Constitution of India as well as Circular issued by the 3<sup>rd</sup> Respondent in Rc.No.25811/D1 &D2/2024, dated 17/07/2024 is equally arbitrary, void and without jurisdiction and unconstitutional, violating Articles 14, 16 and 21 of the Constitution of India, as well as consequential G.O.Ms.No.353, Health, Medical and Family Welfare (A) Department, dated 21/07/2024 issued by the 2<sup>nd</sup> Respondent, insofar as the Petitioner is concerned and set aside the same;

**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 suspend the operation of the GO Ms.No.353, Health, Medical and Family Welfare (A) Department, dated 21/07/2024 issued by the 2<sup>nd</sup> Respondent, pending disposal of WP 19999 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 the order of the High Court dated 25/07/2024 made herein and upon hearing the arguments of Sri P V Krishnaiah, Advocate for the Petitioner and GP FOR SERVICES for the Respondents, the Court made the following.

**ORDER:**

**At request of learned Government Pleader, to get instructions, post on 14.08.2024 in 'AML'.**

**Till then, the interim order granted earlier shall stand extended.**

**SD/- T. JAYASREE  
ASSISTANT REGISTRAR**

//TRUE COPY//

  
SECTION OFFICER

To,

1. One CC to SRI. P V Krishnaiah, Advocate [OPUC]
2. Two CCs to GP FOR SERVICES , High Court at Hyderabad. [OUT]
3. One spare copy

**HIGH COURT**

**PKJ**

**DATED:30/07/2024**

**POST ON 14-08-2024 IN AML**

**ORDER**

**WP.No.19999 of 2024**

**INTERIM ORDER EXTENDED**

