

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE TWENTY SECOND DAY OF APRIL

TWO THOUSAND AND TWENTY FIVE

:PRESENT:
THE HONOURABLE SRI JUSTICE NAGESH BHEEMAPAKA

WRIT PETITION NOs: 19923 & 19999 OF 2024

WRIT PETITION NOs: 19923 OF 2025

Between:

Dr. T. Usha Rani, W/o. Sri M.V. Krishna

...Petitioner

AND

1. The State of Telangana, Rep. by its Special Chief Secretary to Government, Finance (HRM.1) 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. N. Ravi Kumar, Professor of Pediatrics, Niloufer Hospital, Red Hills, Hyderabad.
8. Dr. V. Ajay Mohan, Professor of Pediatrics, Gandhi Medical College, Secunderabad.
9. Dr. R. Vinod Kumar, Professor of Pediatrics, Niloufer Hospital, Red Hills, 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 GO Ms.No.80, Finance (HRM.I) Department, dated 03/07/2024 issued by the 1st 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 3rd Respondent in Rc.No.25811/DI & 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 GO Ms.No.374, Health, Medical and Family Welfare (A) Department, dated 21/07/2024 issued by the 2nd Respondent, including proceedings Rc.No.E1.A/NH/2024/1418 dated 23/07/2024 issued by the 5th 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 writ petition, the High Court may be pleased to suspend the operation of the GO Ms.No.374, Health, Medical and Family Welfare (A) Department, dated 21/07/2024 issued by the 2nd Respondent, including proceedings Rc.No.E1A/NH/2024/1418 dated 23/07/2024 issued by the 5th respondent, Hyderabad, pending disposal of WP.No.19923 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, 30.07.2024, 14.08.2024, 22.08.2024, 05.09.2024, 19.09.2024, 26.09.2024, 03.10.2024, 17.10.2024, 22.10.2024, 24.10.2024, 29.10.2024, 05.11.2024, 07.11.2024, 11.11.2024, 12.11.2024, 20.11.2024, 19.12.2024, 27.12.2024, 10.01.2025, 28.01.2025, 10.02.2025, 24.02.2025 & 24.03.2025 made herein and upon hearing the arguments of SRI. P.V. KRISHNAIAH Advocate for the Petitioner and THE ADDITIONAL ADVOCATE GENERAL for the Respondents, the Court made the following.

WRIT PETITION NO: 19999 OF 2024

Between:

Dr. P.V. Shiva, S/o. late P.V. Sharma

...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 1st 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 3rd 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 2nd 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 writ 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 2nd Respondent, pending disposal of WP.No.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, 30.07.2024, 14.08.2024, 22.08.2024, 05.09.2024, 19.09.2024, 26.09.2024, 03.10.2024, 17.10.2024, 22.10.2024, 24.10.2024, 29.10.2024, 05.11.2024, 07.11.2024, 11.11.2024, 12.11.2024, 20.11.2024, 19.12.2024, 27.12.2024, 10.01.2025, 28.01.2025, 10.02.2025, 24.02.2025 & 24.03.2025 made herein and upon hearing the arguments of SRI. P.V. KRISHNAIAH Advocate for the Petitioner and THE ADDITIONAL ADVOCATE GENERAL for the Respondents, the Court made the following.

ORDER:

List on 28.04.2025.

Interim order granted earlier is extended till 28.04.2025.

//TRUE COPY//

**SD/-P.PADMANABHA REDDY
DEPUTY REGISTRAR**

SECTION OFFICER

To,

1. One CC to SRI. P.V. KRISHNAIAH, Advocate [OPUC].
2. Two CCs to THE ADDITIONAL ADVOCATE GENERAL, High Court for the State of Telangana at Hyderabad [OUT].
3. One spare copy

HIGH COURT

NBKJ

DATED:22/04/2025

LIST ON:28.04.2025

ORDER

WP.Nos.19923 & 19999 of 2024

EXTENSION OF INTERIM ORDER

