

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

WEDNESDAY, THE TWELFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 20510 OF 2025

Between:

1. J. Satheesh Kumar, S/o.J.Venkateswara Rao, Aged 45 years, Senior Assistant, Area Hospital, Huzurnagar (Zone V), Suryapet District.
2. J.Samson, S/o.Vajraiah, Aged 56 years, Senior Assistant, District Hospital, Nalgonda (Zone V), Nalgonda District.
3. B.Baby, D/o.Veerawamy, Aged 50 years, Senior Assistant, Area Hospital, Nakrekal(Zone V), Nalgonda District.
4. G.Sreedhar, S/o.Chandraiah, Aged 47 years, Senior Assistant, Area Hospital, Nagarjuna Sagar (Zone V), Nalgonda District.
5. K.Kavitha, D/o.Ramachandra, Aged 48 years, Senior Assistant, DCHS, Bhongiri (Zone V), Yadadri Bhongiri District.
6. V.Mahipal, S/o.V.Krishnaiah, Aged 32 years, Senior Assistant, CHC, Khairatabad (Zone-VI), Hyderabad.

...PETITIONERS

AND

1. Telangana Vaidya Vidhana Parishad, Rep. by its Commissioner, D.M. and H.S. Complex, Sultan Bazar, Koti, Hyderabad.
2. State of Telangana, Rep. by its Secretary to Government, Health, Medical and Family Welfare Department, Secretariat Buildings, Hyderabad.
3. State of Telangana, represented by its Secretary to Government, General Administration Department, Secretariat Buildings, Hyderabad.
4. State of Telangana, represented by its Chief Secretary, Secretariat Buildings, Hyderabad.
5. Dubbaka Ravi, S/o Late Krishna Rao, Aged 45 years, Occ Senior Assistant, Works Programme Office, Hospital Service and Inspections at Hyderabad, as S.A Khairatabad, Hyderabad.
6. Kavam Jagan, S/o Late G.Balaiah, Aged about 51 years, occ Senior Assistant at District Hospital, King Koti , Hydearabad.
7. Dasoju Ravi, S/o Late D. Laxmanachary, aged 52 years, Occ Senior Assistant, Working at Area Hospital, Miryalaguda, Nalgonda district

8. Bathula Kameshwari, D/o B. Kushal kumar, aged 40 years, Occ Senior Assistant District Hospital, Wanaparthy, Mahabubnagar district.

As per court order dt.29/08/2025 vide IA 2/2025 in WP No.20510/2025. R5 to R8 are impleaded.

...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 action of the 1st Respondent seeking options by proceedings No.Rc.No.898/Plg-1/2018 dated 24.12.2021 issued by the 1st respondent without preparing any seniority list and taking steps to make allocations based on such options submitted by the petitioners in pursuance of the proceedings Rc.No.898/Plg.1/2018 dated 24.12.2021, even after issuing the final seniority list in the cadre of Senior Assistants for erstwhile Zone-VI by proceedings Rc.No.45/G/2014-10 dated 09.07.2025 and without seeking options as per the final seniority list issued in Proceedings Rc.No.45/G/2014-10 dated 09.07.2025 as arbitrary, illegal, discriminatory, malafide, void and without jurisdiction apart from violating Articles 14, 16 and 21 of the Constitution of India and issue consequential directions restraining the Respondents from making allocations as per the options submitted by the petitioners and others in pursuance of the proceedings Rc.No.898/Plg-I/2018 dated 24.12.2021 and further direct the respondents, more particularly 1st respondent, to make allocations only after seeking options from the petitioners and others in pursuance of the final seniority list issued by the 1st respondent by proceedings Rc.No.45/G/2014-10 dated 09.07.2025 after disposing the representation dated 09.05.2025 submitted to the respondents.

IA NO: 1 OF 2025

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 make allocations in the cadre of Senior Assistants belongs to erstwhile Zone-VI in pursuance of final seniority list issued in Proceedings Rc.No.45/G/2014-10 dated 09.07.2025 after disposing the

representations made by the petitioners dated 09.05.2025 but not in pursuance of the proceedings Rc_No.898/Plg-I/2018 dated. 24.12.2021, pending disposal of the writ petition.

IA NO: 3 OF 2025

Between:

1. Dubbaka Ravi, S/o Late Krishna Rao, Aged 45 years, Occ Senior Assistant, Works Programme Office, Hospital Service and Inspections at Hyderabad, as S.A Khairatabad, Hyderabad.
2. Kavam Jagan, S/o Late G.Balaiah, Aged about 51 years, occ Senior Assistant at District Hospital, King Koti , Hydearabad.
3. Dasoju Ravi, S/o Late D. Laxmanachary, aged 52 years, Occ Senior Assistant, Working at Area Hospital, Miryalaguda, Nalgonda district
4. Bathula Kameshwari, D/o B. Kushal kumar, aged 40 years, Occ Senior Assistant District Hospital, Wanaparthi, Mahabubnagar district.

...PETITIONERS

AND

1. J. Satheesh Kumar, S/o.J.Venkateswara Rao, Aged 45 years, Senior Assistant, Area Hospital, Huzurnagar (Zone V), Suryapet District.
2. J.Samson, S/o.Vajraiah, Aged 56 years, Senior Assistant, District Hospital, Nalgonda (Zone V), Nalgonda District.
3. B.Baby, D/o.Veeraswamy, Aged 50 years, Senior Assistant, Area Hospital, Nakrekal(Zone V), Nalgonda District.
4. G.Sreedhar, S/o.Chandraiah, Aged 47 years, Senior Assistant, Area Hospital, Nagarjuna Sagar (Zone V), Nalgonda District.
5. K.Kavitha, D/o.Ramachandra, Aged 48 years, Senior Assistant, DCHS, Bhongiri (Zone V), Yadadri Bhongiri District.
6. V.Mahipal, S/o.V.Krishnaiah, Aged 32 years, Senior Assistant, CHC, Khairatabad (Zone-VI), Hyderabad.

...RESPONDENTS/PETITIONERS

7. Telangana Vaidya Vidhana Parishad, Rep. by its Commissioner, D.M. and H.S. Complex, Sultan Bazar, Koti, Hyderabad.
8. State of Telangana, Rep. by its Secretary to Government, Health, Medical and Family Welfare Department, Secretariat Buildings, Hyderabad.
9. State of Telangana, represented by its Secretary to Government, General Administration Department, Secretariat Buildings, Hyderabad.
10. State of Telangana, represented by its Chief Secretary, Secretariat Buildings, Hyderabad.

...RESPONDENTS

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 vacate the Status Quo Orders, dt:17.07.2025 granted by this Hon'ble Court in the present Writ Petition by considering the Counter affidavit of the Respondent No. 5 to 8 in the Interest of Justice, pending disposal of the writ petition.

Counsel for the Petitioner : SRI P.V.KRISHNAIAH

Counsel for the Respondents No.1 : SRI M.P.K.ADITYA (SC TVVP)

Counsel for the Respondents No.2 : GP FOR SERVICES I

Counsel for the Respondents No.3&4 : GP FOR SERVICES II

Counsel for the Respondents No.5to8 : SRI PRABHAKAR CHIKKUDU

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO.20510 OF 2025

ORDER:

Aggrieved by the action of respondent No.1 in seeking options vide proceedings dated 24.12.2021 without preparing any seniority list and taking steps to make allocations based on such options, even after issuing the final seniority list in the cadre of Senior Assistants for erstwhile Zone-VI vide proceedings dated 09.07.2025 without seeking fresh options, the present Writ Petition is filed.

2) Heard Mr. P.V. Krishnaiah, learned counsel for the petitioner, Sri M.P.K. Adithya, learned Standing Counsel, appearing for respondent No.1, learned Government Pleader for Services-I appearing for respondent No.2, learned Government Pleader for Services-II appearing for respondent Nos.3 and 4, and Sri Prabhakar Chikkudu, learned counsel, appearing for respondents 5 to 8.

3) Learned counsel for the petitioners has submitted that all the petitioners were initially appointed as Junior Assistants in the office of respondent No.1, which is created and established under

Andhra Pradesh Vaidya Vidhana Parishad Act, 1986, now called as Telangana Vaidya Vidhana Parishad Act. Subsequently, they were promoted as Senior Assistants in the erstwhile Zone-VI as per Presidential Order-1975, according to which, the posts of Senior Assistant as well as Office Superintendents were organized as Zonal Cadre posts. Further, after issuance of New Presidential Order-2018, in suppression of old Presidential Order-1975, the Government has issued G.O.Ms.No.317, GAD, dated 06.12.2021, directing the concerned authorities to make allocations of the employees working in the erstwhile Multizone, Zone and Districts, as per new Presidential Order-2018. Accordingly, all the concerned authorities made allocations of the employees as per new local cadres in terms of new Presidential Order-2018, which clearly postulates that the State Government shall organize the posts into local cadres within 3 years from the date of issuance of Presidential Order-2018. But, insofar as the employees of Telangana Vaidya Vidhana Parishad (in short 'TVVP') are concerned, the Government has not organized the posts into local cadres within three years from the date of new Presidential Order-2018. Now, after expiry of three years, even the Government is not having any power to

organize the local cadre unless and until the State obtains approval from the President of India. Learned counsel has further submitted that even as on today, it is very doubtful whether TVVP is governed by Presidential Order on par with Government employees or not inasmuch as TVVP is established by enactment as independent Body. Further, as of now, the petitioners are continued in the erstwhile zone-VI and they are not allocated to any new Zones created under new Presidential Order-2018. Further, the allocations of State level posts are to be made in pursuance to section 77 of the Andhra Pradesh Re-organization Act, 2014, only after issuing the final seniority list. The well settled practice and procedure to make allocation is preparation of seniority list, seeking options, preparation of tentative allocation list, calling for objections against the tentative allocation list and after consideration of objections, the final allocations shall be made. But, in the present case, without preparing any seniority list in the cadre of Senior Assistants in the erstwhile Zone-VI, respondent No.1 sought options vide proceedings, dated 24.12.2021, to which, the petitioners and others submitted options, but, no allocations were made till date pursuant to the

options so exercised. Learned counsel has further submitted that the petitioners exercised their options without having legal knowledge inasmuch as the options should be called by the competent authority only after issuing final seniority list, which is the fundamental principle for making allocations. Learned counsel further submitted that subsequently, respondent No.1 has issued revised provisional seniority list of Senior Assistants working in erstwhile Zone-VI vide proceedings dated 28.04.2025, against which, some of the Senior Assistants have submitted their objections. Similarly, petitioners and five others made a representation to respondent No.2 on 09.05.2025 bringing to his notice that names of several Senior Assistants whose services were regularized in the lower category without having required qualification were also included in the seniority list and are placed above the petitioners, who are fully qualified. However, no orders are passed thereon. Learned counsel further submitted that respondent No.1 has issued final seniority list of senior assistant working in erstwhile Zone-VI vide proceedings dated 09.07.2025 including name of unqualified Senior Assistants and also the Senior Assistants who retired from service, which clearly shows

that respondent No.1 has prepared the seniority list hurriedly and hastily to make allocations without following due procedure to favour some of the employees for various reasons. It is further submitted that now the petitioners reliably learnt that respondent No.1 making allocations to the newly organized zones without seeking options from the petitioners and others in pursuance to the final seniority list dated 09.07.2025 and based on the options earlier submitted in pursuance to the proceedings of respondent No.1 dated 24.12.2021 i.e. without having any seniority list in the cadre of Senior Assistants in the erstwhile Multizone-VI, which is nothing but arbitrary, illegal, void and without jurisdiction. Learned counsel has contended that once the final seniority list in the cadre of Senior Assistants in erstwhile Zone-VI is prepared vide proceedings dated 09.07.2025, it is the primary and fundamental duty on the part of respondent No.1 once again to seek options from the petitioners and others and thereafter to issue a tentative allocation list inviting objections thereon and after considering the said objections only, respondent No.1 is empowered to issue final allocation list. But, in the present case, even the Government has not sought any options, but respondent No.1 sought options in the

year 2021 without preparing any seniority list. Therefore, the very fact that the Government is not involved in making allocations like in case of other Government employees clearly shows that the Presidential Order is not applicable to the employees of Telangana Vaidya Vidhana Parishad, which is established as per the Special Enactment. Therefore, looking from any angle, the action of respondent No.1 in making allegations on the basis of the options sought vide proceedings dated 24.12.2021 is arbitrary, illegal, unconstitutional and violative of Articles 14, 16 and 21 of the Constitution of India.

4) Per contra, the learned Standing Counsel appearing for respondent No.1 has submitted that the Government of Telangana has issued G.O.Ms.No.179, GAD, dated 04.08.2021, wherein at para (2), it is stated that the scheme of organization of local cadres in Telangana Vaidya Vidhana Parishad (TVVP) in accordance with the provisions of para (3) of Telangana Public Employment (Organization of Local Cadres and Regulation of Direct Recruitment) Order, 2018, has been carefully considered and approved by the Government. Further, as per guidelines 3 and 4 of

G.O.Ms.No.317, dated 06.12.2021, the respondents have prepared list of the employees as per seniority in each of the erstwhile local cadres to allocate them among the new local cadres including those who are on leave, under suspension, undergoing training, on deputation, on foreign service so as to ensure that no employee is left un-allotted to a new local cadre. Thereafter, respondent No.1 has called options from all the employees including the senior assistants in terms of G.O.Ms.No.317, dated 06.12.2021. Consequently, all the employees, including the senior assistants, have submitted their options and the same were submitted to the Government. Accordingly, the Government has issued allocation orders in respect of various zonal cadres working under the control of respondent No.1 vide Government Memo No.6252/i/2023, HM & FW (I) Dept., dated 23.09.2023, including senior assistants working in erstwhile Zone-V and VI as per the options exercised by them. Further, some of the senior assistants have filed W.P.Nos.23058 of 2023 and 23854 of 2023 challenging the provisional seniority list dated 17.06.2023 wherein this Hon'ble Court stayed allocation pending preparation of provisional seniority list. As such, respondent No.1 has issued the revised provisional

seniority list dated 28.04.2025 inviting objections. Thereafter, upon considering the objections, the final seniority list was published vide RC.No.45/G/2014-10, dated 09.07.2025, and final allocation orders were issued on 14.07.2025. Thus, it is contended that the allocation orders are passed only after following due procedure and in compliance with the orders passed by this Court in W.P.Nos.23058 and 26854 of 2023. Accordingly, (44) Senior Assistants, including petitioner No.5 herein, have reported to the newly allocated zones. Further, based on the options exercised in the year 2021, the petitioners were allotted to Zone-III based on their seniority and even if re-options are sought from the petitioners and other employees, the petitioners, being the junior-most, will be allotted to zone-III only. Further, the representation referred by the petitioners at para 27 of the writ petition is a post-finalization plea and not objection raised within the prescribed time. The employees, who exercised options under G.O.Ms.No.317, dated 06.12.2021, cannot be permitted to go back from those choices/options at a later stage and no fundamental/statutory right lies upon them to claim retention in a specific zone.

Allocation is a matter of administrative policy based on seniority and availability.

4.1) It is further submitted that all the employees were treated uniformly and the final orders were issued after calling options and objections and therefore no mala fides can be attributed. Further, the allocation of senior assistants working in erstwhile Zone-V was completed without any hurdles and they were also reported in new local cadre. Further, the seniority list of Zone-I and IV were prepared and communicated but due to non-allocation of senior assistants of erstwhile Zone-VI, the seniority list of Zone II, III, V, VI and VII are not prepared. Further, the contention of the petitioners that TVVP does not come within the purview of new Presidential Order-2018 is incorrect and in this regard it is submitted that the Government of Telangana had issued G.O.Ms.No.179, GAD, dated 04.08.2021 duly approving the scheme for organization of local cadres in TVVP as per provisions contained in para (3) of the Telangana Public Employment (Organization of Local Cadres and Regulation of Direct Recruitment) Order, 2018 and the unit of appointment for the posts organized as District, Zonal and Multi-Zonal cadres including

the posts that may be sanctioned in future shall be the District, Zone and Multi-zone respectively, within three years from the date of issuance of G.O.Ms.No.124, dated 30.08.2018. Further, the objections submitted by the individuals against the provisional seniority list were disposed and speaking orders were passed as per the Rules in force. Further, the representation dated 09.05.2025 cannot be treated as an objection, as projected by the petitioners as the same was not submitted within the stipulated time. It is further submitted that respondent No.1 has already taken action on the unqualified senior assistants by issuing a show cause notice. However, in view of the interim orders passed by this Court in the writ petitions filed by some of the unqualified senior assistants, the revised provisional seniority list of senior assistants working in erstwhile Zone-I was finalized as per Rule 33 (a) of Telangana State and Subordinate Service Rules, 1996, read with G.O.Ms.No.151, GAD, dated 22.06.2004. The respondents have allotted the senior assistants in the spirit of G.O.Ms.No.317, GAD, dated 16.12.2021 and after allocation also the aggrieved individuals can file appeal to the Government, as per the Rules in force. Further, most of the senior-most Senior Assistants who are

working in the said cadre for the last 15 years are waiting for promotion as Office Superintendents, but merely because allocation is not completed, their promotions could not be taken up though several Office Superintendent posts are lying vacant and due to non-allocation of senior assistants in erstwhile zone-VI, the promotions in other zones are stalled. Therefore, it is prayed to dismiss the writ petition.

5) Sri Prabhakar Chikkudu, learned counsel, has submitted that pursuant to the seniority list of the senior assistants dated 09.07.2025, the allocations were made on 14.07.2025 and most of the senior assistants, including the unofficial respondents and one of the writ petitioners, have joined in their respective duties in zone-V. Further, the writ petitioners being juniors were allotted to Zone-III as per their seniority. The official respondents have issued show cause notices to the ineligible employees, who have not fulfilled the conditions in the cadre of Junior Assistants, but promoted as senior assistants, however, the official respondents are not able to demote them due to the interim orders granted by this Court in W.P.Nos.16598, 16779, 24336 and 33093 of 2024

and the said cases are still pending adjudication before this Court. It is further submitted that G.O.Ms.No.317, dated 06.12.2021, is under challenge before the Division Bench of this Court in W.P.No.313 of 2022 & batch, wherein it is ordered that all postings done shall be subject to final outcome of the writ petition and the said order is applicable in the present case also. Therefore, it is prayed to dismiss the writ petition.

6) This Court has taken note of the submissions made by respective parties and perused the record.

7) A perusal of the record discloses that admittedly, all the petitioners were promoted as Senior Assistants in the erstwhile Zone-VI as per the old Presidential Order-1975 as the posts of Senior Assistants and Superintendents were also organized as Zonal cadre posts as per the old Presidential Order-1975. Subsequently, after bifurcation of State of Telangana, the new Presidential Order-2018 vide G.O.Ms.No.124, GAD, dated 30.08.2018 and as amended vide G.O.Ms.No.128, GAD, dated 30.06.2021, is issued in suppression of old Presidential Order-1975. Subsequently, the Government of Telangana has issued

G.O.Ms.No.179, GAD, dated 04.08.2021, approving the scheme for organization of local cadres in Telangana Vaidya Vidhana Parishad (TVVP) in accordance with para (3) of Telangana Public Employment (Organization of Local Cadres and Regulation of Direct Recruitment) Order, 2018. Thereafter, in terms of G.O.Ms.No.317, dated 06.12.2021, respondent No.1 sought options from the Senior Assistants, including the petitioners herein, vide proceedings dated 24.12.2021. In pursuance thereof, the petitioners have submitted their options. While so, some of the Senior Assistants have approached this Court and filed W.P. Nos.23058 and 26854 of 2023 wherein this Court has granted interim orders. For better adjudication of the matter, relevant portion of the interim order dated 24.08.2023 passed by this Court in W.P.No.23058 of 2023 is extracted hereunder:

“....Having gone through the material on record, as far as post of Senior Assistant is concerned, it is clear that there is no provisional seniority list prepared by the respondents. Therefore, there shall be stay of allocation of Senior Assistants in new local cadres under G.O.Ms.No.317 till the provisional seniority list is prepared and the objections are called for.”

8) From the above, it is clear that the said interim order will operate till preparation of provisional seniority list and objections

are called for only. According to the respondents, in compliance of the said interim order dated 24.08.2023, the respondents have prepared provisional seniority list dated 28.04.2025, called for objections, considered the objections and thereafter finalized the seniority list in the cadre of Senior Assistants on 09.07.2025 and consequently allocations were also made on 14.07.2025. Further, in pursuance to the said allocations, all the Senior Assistants, who were allotted to various Zones, have joined in their respective zones, except four petitioners herein.

9) The main contention of the petitioners is that no allocations were made in pursuance to the options exercised by the Senior Assistants pursuant to the proceedings dated 24.12.2021 and therefore making allocations pursuant to the final seniority list dated 09.07.2025 without seeking fresh options is invalid.

10) Here, it is pertinent to note that the petitioners failed to explain the prejudice caused to them due to allocations made in accordance with the options exercised by them in the year 2021. Further, the representation filed by the petitioners is subsequent to the prescribed time limit for filing of objections.

11) Further, admittedly, the petitioners are junior most in the cadre of Senior Assistants. As such, as specifically asserted by the official respondents, even if fresh options are sought from the petitioners, they will be allocated to the same zone in view of their juniority. Petitioners have not filed any reply rebutting the said contention. Therefore, this Court is of the view that the said contention of the petitioners cannot be countenanced and liable to be set aside.

12) Insofar as the contention of the petitioners that ineligible candidates were shown above the name of the petitioners in the seniority list is concerned, the respondents assert that though show cause notices were issued to the ineligible candidates, but, in view of the interim orders passed by this Court in W.P.Nos.16598 of 2024 & batch, the names of said individuals were continued in the seniority list. Therefore, the said action of the respondents cannot be faulted with.

13) For the afore-mentioned reasons, this Court does not find any merit in the writ petition and the same is liable to be dismissed.

14) Accordingly, the Writ Petition is dismissed.

Miscellaneous petitions pending, if any, shall stand closed.

No costs.

Sd/-S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

6
SECTION OFFICER

To,

1. One CC to SRI P.V.KRISHNAIAH, Advocate. [OPUC]
2. One CC to SRI M.P.K.ADITYA, (SC TVVP). [OPUC]
3. Two CCs to GP FOR SERVICES I, High Court for the State of Telangana. [OUT]
4. Two CCs to GP FOR SERVICES II, High Court for the State of Telangana. [OUT]
5. One CC to SRI PRABHAKAR CHIKKUDU, Advocate. [OPUC]
6. Two CD Copies.

BSK

PMK



HIGH COURT

DATED:12/11/2025



ORDER

WP.No.20510 of 2025

**DISMISSING THE WRIT PETITION
WITHOUT COSTS**

10 MT
19/11/25