



2022:TSHC:34343

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

**TUESDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE JUSTICE G SRI DEVI

WRIT PETITION NO: 32703 OF 2012

Between:

D.JAGADEESWAR, KARIMNAGAR DISTRICT, S/o Venkataiah, Aged about 55 Years, Occ: Secondary Grade Teacher, O/o Kakatiya Vidya Niketan, Upper Primary School, Jawahar Nagar, Godavarikhani (Aided), Karimnagar District.

...PETITIONER

AND

1. The District Educational Officer, Karimnagar, Karimnagar District.
2. The District Collector, Karimnagar, Karimnagar District.
3. The Director of School Education, Andhra Pradesh at, Hyderabad.
4. The Government of Andhra Pradesh, Rep by its Principal, Secretary, School Education Department, Secretariat, Hyderabad.
5. The Special Officer & Deputy Educational Officer,, Peddapally, Kakatiya Vidya Niketan Upper Primary School, Jawahar Nagar, Godavari Khani, Karimnagar District

...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 Orders more particularly one in the nature Writ of Mandamus declaring that the petitioner is entitle for payment of his due salary for the working period from March, 1993 onwards to till date in the Aided vacancy of SGT Post of the 5th respondent Aided School with all consequential benefits, by holding the action of the respondents in not paying the petitioner's due salary for the working period from March, 1993 to till date in the aided vacancy of SGT though he is continuously working till date in the said post is as illegal, arbitrary, discriminatory and subversive of Articles 14 16 of the Constitution of India and



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pass such other order or orders as this Humble Court may deem fit and proper in the circumstances of the case.

WPMP. NO: 51686 OF 2016

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 expedite the hearing of the Writ petition No. 32703 of 2012.

WPMP. NO: 41650 OF 2012

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 consider the petitioner claim for payment of his due salary during the working period against the Aided vacancy of SGT and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner : SRI. M SHIVA KUMAR

Counsel for the Respondents: GP FOR EDUCATION

The Court made the following : ORDER



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HONOURABLE JUSTICE G. SRI DEVI

WRIT PETITION No. 32703 of 2012

ORDER:

In this writ petition, the petitioner seeks a Writ of Mandamus declaring that the petitioner is entitled for payment of his due salary for the working period from March, 1993 onwards till date in the Aided vacancy of SGT Post of the 5th respondent-Aided School with all consequential benefits, by declaring the action of the respondents in not paying the petitioner's due salary for the working period from March, 1993 to till date in the aided vacancy of SGT as illegal and arbitrary.

2. At the time when the matter is taken up for hearing, learned counsel for the petitioner submitted that the issue involved in this petition is squarely covered by the order, dated 25.04.2005 passed in W.P.No.24091 of 2004. Learned Government Pleader for Education would submit that the petitioner has already been retired on attaining the age of superannuation.

3. In view of the above submissions and in the light of the judgment of another coordinate bench of this Court in



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GSD, J
Wp_32703_2012

W.P.No.24091 of 2004, dated 25.04.2005, the Writ petition is disposed of directing the 1st respondent to issue necessary instructions to the concerned for release of the aided salary to the petitioner with effect from 01.04.1992, from which he was absorbed as an aided S.G.T. in the 5th respondent School. No costs.

Miscellaneous applications, if any, pending shall stand closed.

SD/-P.PADMANABHA REDDY
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

To,

1. The District Educational Officer, Karimnagar, Karimnagar District.
2. The District Collector, Karimnagar, Karimnagar District.
3. The Director of School Education, Andhra Pradesh at, Hyderabad.
4. The Principal, Secretary, School Education Department, Secretariat, Government of Andhra Pradesh, Hyderabad.
5. The Special Officer & Deputy Educational Officer, Peddapally, Kakatiya Vidya Niketan Upper Primary School, Jawahar Nagar, Godavari Khani, Karimnagar District
6. One CC to SRI. M SHIVA KUMAR, Advocate. [OPUC]
7. Two CCs to GP FOR EDUCATION, High Court for the State of Telangana at Hyderabad.[OUT]
8. Two CD Copies
9. One Spare Copy

SB
PS



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HIGH COURT

DATED:28/06/2022

ORDER

WP.No.32703 of 2012



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(11) VW
22/7/22