

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

THURSDAY, THE FOURTEENTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

WRIT PETITION NO: 46381 OF 2022

Between:

A. Ramchandrar, S/o Pochaiar, aged about 55 Years, Working as Public Health Worker, Nizamabad Municipal Corporation, Nizamabad, Nizamabad District

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, MA and UD Department, Secretariat Buildings, Hyderabad.
2. The State of Telangana, Rep. by its Principal Secretary, Finance and Planning Department, Secretariat Buildings, Hyderabad.
3. The Commissioner and Director of Municipal Administration AC Guards, Hyderabad.
4. The Nizamabad Municipal Corporation, Nizamabad, Nizamabad District, rep. by its Commissioner.

...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 Writ Order or Direction more particularly one in the nature of Writ of Mandamus by calling for the records relating to the impugned orders issued by the 3rd respondent vide Proc. Lr. No. C2/9618/2016, dt. 22.8.2024 and set aside the same by declaring as illegal, arbitrary and violative of the principles of natural justice and also contrary to the law laid down by the Hon'ble Supreme Court in the case of State of Punjab & others Vs. Jagjith Singh and others (Reported in 2017 (1) SCC 148 and consequently direct the respondents to extend the benefit of minimum time scale as per law laid down by the Hon'ble Supreme Court in the case of State of

Punjab & others Vs. Jagjith Singh & others (Reported in 2017 (1) SCC 148 on par with my juniors along with arrears and pass such other order or orders.

As per court order, dt.25/9/2025 Vide IA 1/2025 in WP No.46381/2022. Prayer is amended.

I.A. NO: 1 OF 2022

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 claim of the petitioner for extension of the benefit of minimum time scale as per law laid down by the Honble Supreme Court in State of Punjab and ors Vs. Jagajith Singh and ors Reported in 2017 (1) SCC 148 forthwith, pending final disposal of the writ petition.

Counsel for the Petitioner : Sri P.Raghavendra Reddy

Counsel for the Respondent No.1 : GP FOR MCPL ADMN URBAN DEV

Counsel for the Respondent No.2 : GP FOR FINANCE & PLANNING

**Counsel for the Respondent No.3&4 : SMT.R.MADHAVI LATHA,
SC FOR SERVICES MATTERS OF MCs**

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

WRIT PETITION NO.46381 OF 2022

DATED : 14.05.2026

Between:

A.Ramachandar

... Petitioner

AND

The State of Telangana, rep. by its Principal
Secretary, MA & UD Department, Secretariat
Buildings, Hyderabad and 3 others

... Respondents

ORDER

In this Writ Petition, the petitioner is seeking a Writ of Mandamus to call for the records relating to the impugned orders dt.22.08.2024 and to set aside the same by declaring them as illegal, arbitrary and violative of principles of natural justice and also contrary to the law laid down by the Hon'ble Supreme Court of India in the case of **State of Punjab and others Vs. Jagjith Singh and others**¹ and consequently to direct the

¹ (2017) 1 SCC 148

respondents to extend the benefit of minimum time scale as per the law laid down by the Hon'ble Supreme Court in the case of **State of Punjab and others Vs. Jagjith Singh and others** (1 supra) on par with the petitioner's juniors and also to pay the arrears and to pass such other order or orders.

2. Brief facts leading to the filing of this Writ Petition are that the petitioner was appointed as a Public Health Worker on 01.09.1987 on daily wage basis in respondent No.4 organization and when his services were terminated orally on 01.05.1993 without assigning any reasons and without any notice, the termination order was challenged in I.D.No.163 of 1996 before the Labour Court-II, Hyderabad and *vide* order dt.31.07.1998, the Labour Court granted the relief of reinstatement with continuity of service but without back wages and the same was assailed by respondent No.4 in W.P.No.21392 of 2002 before this Court. It is submitted that despite being reinstated, the petitioner is receiving only Rs.10,000/- per month, while the juniors of the petitioner are receiving the minimum time scale and regularisation status since 16.03.2009. It is submitted that the Hon'ble Supreme Court in the case of **A.Manjula Bhashini and others Vs. Managing Director, Andhra Pradesh**

Women's Co-operative Finance Corporation Limited and another²
citing G.O.Ms.No.212, Finance and Planning Department, dated 22.04.1994, directed the Government of Andhra Pradesh to regularise all eligible daily wage, temporary part time employees within four months regardless of any prior dismissed legal claims. It is submitted that though respondent No.4, *vide* letter dt.28.02.2017, has addressed to the District Collector/Chairman, Nizamabad and confirmed the availability of 3 vacancies, the respondents have failed to regularise the services of the petitioner. It is submitted that the petitioner has made a representation dt.04.05.2015 for regularisation of his services, but the respondents have not taken any action thereon and therefore, the petitioner filed O.A.No.6320 of 2015 and due to the Tribunal's abolition, the case was transferred to this Court and is pending for consideration before this Court and that the respondents have not filed a counter affidavit in the said case till date. The petitioner is therefore seeking a direction to the respondents to pay minimum time scale of pay to the petitioner on the principle of 'equal pay for equal work' as laid down by the Hon'ble Supreme Court in the case of **State of Punjab and others Vs. Jagjith Singh and others** (1 *supra*).

² (2009) 8 SCC 431

3. Respondent No.4 has filed a counter affidavit stating that pursuant to the directions of the Labour Court, the petitioner has been reinstated into service on 11.12.2002 and since the petitioner has already been reinstated into service, the Writ Petition filed by the Corporation has been dismissed by this Court on 20.03.2012. It is submitted that the petitioner was appointed as a daily wage vehicle loader in March, 1990 and not in 1987 as claimed by the petitioner and that the said fact is confirmed by the Municipal Council records dt.11.01.1993 and that the petitioner was reinstated into service *vide* order dt.11.12.2002 pursuant to the interim order of this Court in W.P.M.P.No.26841 of 2002 in W.P.No.21392 of 2002 dt.20.12.2002 and that the petitioner is receiving wages as an outsourcing/daily wage employee rather than a regular NMR worker. It is submitted that there are no similarly situated persons as that of the petitioner for parity and that the reference to one N.Venkatesh and 60 others who were receiving wages by orders dt.03.07.2007, 20.12.2008 and 27.11.2010, is not applicable to the petitioner. It is also stated that the petitioner is not having regular attendance and therefore, the petitioner is not eligible to be treated on par with other employees.

4. Learned counsel for the petitioner as well as the learned counsel for respondent No.4 Corporation advanced arguments in line with the averments made in the writ affidavit and also the counter affidavit.

5. Learned counsel for the petitioner also placed reliance upon the decision of this Court in **G. Mangaiah and another Vs. The Government of Andhra Pradesh rep. by its Principal Secretary, School Education and others**³, wherein a direction was given to make the payment of minimum time scale attached to last grade employees of the Government of Telangana to the petitioners therein from the date of filing of the O.A. He is seeking similar direction to pay the minimum of the time scale of pay.

6. Having regard to the rival contentions and the material on record, this Court finds that this case is not for regularisation of the services of the petitioner, but is for payment of minimum time scale of pay of last grade employees to the petitioner from the date of his appointment. Similarly placed persons have already been considered by this Court in the case of **G. Mangaiah and another Vs. The Government of Andhra Pradesh rep. by its Principal Secretary, School Education**

³ W.P.(TR)No.6453 of 2017 dt.29.01.2025

and others (3 supra), following the judgment of the Hon'ble Supreme Court of India in the case of **State of Punjab and others Vs. Jagjith Singh and others** (1 supra) and this Court has observed as under:

"7. Having regard to the rival contentions and the material on record, this Court finds that admittedly, the petitioners have been working from 1992 and 1993 respectively and the petitioners were being paid on par with the daily wagers and their services have not been regularized. It is also a fact that the regularization of the services can be made only if there existed sanctioned posts. As seen from the details of the sanctioned posts in the Government High School, Ricob Bazar, Khammam, there are no posts of sweeper or the watchman. This fact itself shows the apathy of the Government in making necessary arrangements for the administration of the school. It is not understandable as to how a school can function without a sweeper and a watchman. The contentions of the Head Master that the petitioners have been engaged on need basis also that they have been working in the same continuously from the year 1992 and 1993 onwards shows that there was a need for a sweeper and a watchman. The respondents are therefore directed to create the posts of sweeper and watchman from the date of the engagement of the petitioners or subsequent thereto and thereafter, consider regularization of the services of these petitioners with effect from the date of their completion of five years of service.

8. Further, irrespective of the regularization of the petitioners' services, this Court finds that Hon'ble Supreme Court in the case of **State of Punjab and Others Vs. Jagjit Singh and Others** (AIR 2016 SC 5176), as held that even temporary employees are eligible for the equal pay as that of regular employees i.e., the minimum

time scale of pay attached to the post. Since there is no regular sanctioned post of a sweeper or a watchman in this school, this Court is of the opinion that the scale attached to the last grade employee of the Government should at least be paid to the petitioners as per the rationale laid down by the Hon'ble Supreme Court in the case of Jagjit Singh (cited supra).

9. *The judgments relied upon by the learned government pleader in support of their contentions are distinguishable on facts. The Government has to be a model employer and should not be permitted to exploit the unemployed and extract work from them without making payment of reasonable wages. Therefore, the respondents are directed to pay the minimum time scale of pay attached to the last grade employee of the Government of Telangana to the petitioners from the date of filing of the O.A. The respondents are further directed to pass necessary orders in this regard within a period of three (3) months from the date of receipt of a copy of this order.*

10. *Accordingly, this writ petition is disposed of. There shall be no order as to costs."*

7. It is not in dispute that the petitioner has been working as a daily wage worker from 1990 and after oral termination, the petitioner has also been reinstated into service in the year 2002. The petitioner is therefore eligible for minimum time scale of pay from the date of reinstatement, i.e., 11.12.2002 because the reinstatement was ordered by the Labour Court without any back wages.

8. The respondents are therefore directed to fix the minimum time scale of pay to the petitioner with effect from the date of his reinstatement into service, i.e., 11.12.2002 and grant him all the consequential benefits. The fixation of the pay as well as the payment of consequential benefits/arrears to the petitioner shall be made within a period of four (04) months from the date of receipt of a copy of this order.

9. The Writ Petition is accordingly allowed. No order as to costs.

10. Pending miscellaneous petitions, if any, in this Writ Petition shall stand closed.

Sd/-K.BHAVANI SWAMY
ASSISTANT REGISTRAR

//TRUE COPY//

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To,

SECTION OFFICER

1. The Principal Secretary, MA and UD Department, Secretariat, Telangana State Buildings, Hyderabad.
2. The Principal Secretary, Finance and Planning Department, Secretariat, Telangana State Buildings, Hyderabad.
3. The Commissioner and Director of Municipal Administration AC Guards, Hyderabad.
4. The Commissioner, Nizamabad Municipal Corporation, Nizamabad, Nizamabad District.
5. One CC to SRI P.RAGHAVENDRA REDDY, Advocate. [OPUC]
6. Two CCs to GP FOR MCPL ADMN URBAN DEV, High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CCs to GP FOR FINANCE & PLANNING, High Court for the State of Telangana at Hyderabad. [OUT]
8. One CC to SMT.R.MADHAVI LATHA, SC FOR SC FOR SERVICES MATTERS OF MUNICIPAL CORPORATIONS. [OPUC]
9. Two CD Copies.

BSK

BSK

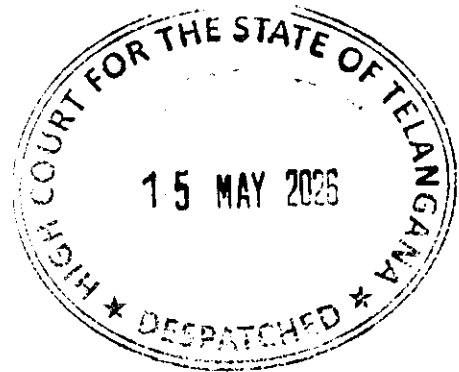
HIGH COURT

DATED: 14/05/2026

VACATION COURT

ORDER

WP.No.46381 of 2022



**ALLOWING THE WRIT PETITION
WITHOUT COSTS**

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15/05/26
G.K.