

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH

WRIT PETITION NO.6623 OF 2005

Between:

K. Srinivasa Sarma and another

.. Petitioners

and

State of A.P. rep. by its Secretary to Govt.,
Education Dept., and others

.. Respondents

DATE OF JUDGMENT PRONOUNCEMENT : 13th AUGUST,
2015

SUBMITTED FOR APPROVAL:

-
-
-

THE HON'BLE SRI JUSTICE SANJAY KUMAR

- | | | |
|----|--|--------|
| 1. | Whether Reporters of Local newspapers
may be allowed to see the judgment? | Yes/No |
| 2. | Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |

3. Whether Their Lordship wish to
see the fair copy of the judgment?

Yes/No

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.6623 OF 2005

ORDER

This writ petition was filed by two individuals working in V.P. & G.S.M. High School, Surapalli, Bhattiprolu Mandal, Guntur District, seeking a declaration that they were entitled to be approved in the posts of Hindi Pandits from the date of their appointment i.e. 12.06.2000. They also sought a consequential direction to the respondents to approve their appointments from the said date.

The admitted facts of the case are that the petitioners were appointed as Hindi Pandits in the service of V.P. & G.S.M. High School, Surapalli, Bhattiprolu Mandal, Guntur District, on 08.06.2000 and the said appointments were made pursuant to the proceedings dated 01.03.2000 of the Regional Joint Director of School Education, Guntur, granting permission to fill up the said posts. Thereafter, by order dated 16.03.2001, the Regional Joint Director, School Education, Guntur, rejected the proposal of the school to approve their appointment. Aggrieved thereby, they filed W.P.No.6242 of 2001 before this Court assailing the proceedings dated 16.03.2001. Interim orders were granted in the said writ petition on 06.04.2001 to reconsider the cases of the petitioners. Though the respondent authorities again rejected their cases under order dated 18.05.2001, it appears that they reconsidered the matter thereafter and by proceedings dated 15.08.2001, the Regional Joint Director of School Education, Guntur, approved their appointments

subject to the outcome of W.P.No.6242 of 2001. Significantly, no date was mentioned in the said proceedings as to from when such appointments were approved. While so, this Court allowed W.P.No.6242 of 2001 by order dated 10.06.2002. Significantly, in the prayer portion in W.P.No.6242 of 2001, the petitioners not only challenged the proceedings dated 16.03.2001 issued by the Regional Joint Director, School Education, Guntur, but also sought a consequential direction to forthwith accord approval of their services from the date of their appointment. Once the writ petition was allowed without further qualification as to any part of the relief sought being either denied or restricted, it must be construed that the writ petition was allowed as prayed for. In consequence, the respondent authorities were bound to give effect to the approval of the petitioners' appointment as Hindi Pandits in the service of the school from the date of their initial appointment. It is an admitted fact that the order passed in W.P.No.6242 of 2001 has attained finality. That being so, there is no scope for the respondents to now disobey the said order and seek to curtail the approval granted to the appointment of the petitioners at this late stage.

The writ petition is accordingly allowed. The respondents shall give effect to the approval of the petitioners' appointment to the posts of Hindi Pandits in V.P. & G.S.M. High School, Surapalli, Bhattiprolu Mandal, Guntur District, from the date of their initial appointment i.e. 12.06.2000. Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

13th AUGUST, 2015
PGS