

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

The Hon'ble Sri Justice V. RAMASUBRAMANIAN  
and  
The Hon'ble Sri Justice ABHINAND KUMAR SHAVILI

WRIT PETITION No.24011 of 2017

Between:

B. Eswaraiiah S/o.Late Polaiah,  
Occ: Superintendent of II A.J.M.F.C. Court,  
Nellore, SPS Nellore District,  
R/o.2-9-156, Koneti Kayyalu, Kovur,  
SPS Nellore District.

...Petitioner

Vs.

The High Court of Judicature at Hyderabad,  
For the State of Telangana and the State of  
Andhra Pradesh, Rep.by its Registrar (Administration)  
and others.

.. Respondents

For Petitioner : Sri B. Vijaysen Reddy

For Respondents : Smt. Bobba Vijayalakshmi



HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN  
AND  
HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

Writ Petition No.24011 of 2017

ORDER: (per V. Ramasubramanian, J)

The petitioner, who is working as Superintendent in the Court of II-Additional Judicial Magistrate of First Class, Gudur, Nellore District, has come up with the above writ petition, challenging the rejection of his request for conversion from the post of Superintendent to the post of Stenographer Grade-I in terms of G.O.Ms.No.100, dated 08.08.2013.

2. Heard Mr. B. Vijaysen Reddy, learned counsel for the petitioner and Mrs. Bobba Vijayalakshmi, learned Standing Counsel for the 1<sup>st</sup> respondent.

3. The petitioner herein was originally appointed as Steno-Typist cum Personal Assistant on 01.07.1989. It was an appointment by the method of recruitment by transfer from the post of Process Server.

4. In the year 2012, the petitioner was promoted as Senior Assistant, but deputed to work as Personal Assistant. Later he was promoted as Superintendent in the year 2014. He is now working as Superintendent in the Court of II-Additional Judicial Magistrate of First Class, Nellore. After the issue of G.O.Ms. No.50, Law Department, dated 23.04.2009, implementing the recommendations of Justice K. Jagannadh Shetty Commission, the entire cadre of Judicial Ministerial Service was restructured. Amendments to the Rules were issued under G.O.Ms.No.100, Law Department, dated 08.08.2013. After the amendment, the post of Stenographer was split into three grades, namely, Grade-III, Grade-II and Grade-I and the avenues of promotion for stenographers were improved. But before advent of G.O.Ms.No.50 followed by G.O.Ms.No.100, Personal Assistants (Stenographers) had only one option, namely, to get converted into Senior Assistants. Therefore, in many places, Stenographers who had earlier got converted into another line wanted to

come back to the category of Stenographers. When the Unit Heads allowed such requests and the same was rejected by the High Court, two persons came up with a writ petition in W.P. No.12680 of 2015. The said writ petition was allowed by a Division Bench of this Court to which one of us (VRS,J) was a party, by an order dated 24.03.2017.

5. The case of the petitioner is squarely covered by the decision rendered in W.P. No.12680 of 2015. But there is a small hitch. The petitioner has not merely prayed for the grant of the benefit of G.O.Ms.No.100 but also prayed for fixation of seniority over and above the named unofficial respondents 3 to 7. Notices were ordered to the respondents 3 to 7 on the previous occasion. It appears that service of notice is completed.

6. However, we do not wish to go into the question of seniority, as facts are not very clearly laid before us. But the petitioner is entitled to the benefit of G.O.Ms.No.100, dated 08.08.2013.

7. Therefore, following the decision in W.P. No.12680 of 2015, dated 24.03.2017, this writ petition is allowed and the official respondents are directed to grant the benefit of reversion to the stream of Stenographers to the petitioner and grant him the upgradation in the post of Stenographer to Grade-II and Grade-I, respectively, with effect from the dates on which he became eligible, as per the Government Order and as per the judgment in W.P. No.12680 of 2015.

8. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

ABHINAND KUMAR SHAVILI, J

October 10, 2017  
KTL