

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SMT. JUSTICE K.VIJAYA LAKSHMI

WRIT APPEAL No. 1504 OF 2017

DATED 16TH OCTOBER, 2017

Between:

Tirumala Tirupati Devasthanams,
Rep. by its Executive Officer,
Tirupati, Chittoor District,
Andhra Pradesh

... Appellant

AND

V.Narasimha Chary and another

... Respondents

Counsel for the appellant

:

Sri A.K.Jayaprakash Rao

Counsel for the respondents

:

Sri Ghanta Rama Rao

THE COURT MADE THE FOLLOWING

JUDGMENT: (*per Hon'ble Sri Justice C.V.Nagarjuna Reddy*)

Feeling aggrieved by order dated 09-08-2017 in W.P.No. 12666 of 1999, whereby the learned single judge allowed the said Writ Petition filed by the respondents, Tirumala Tirupati Devasthanams (for short, "T.T.D.")- the respondent therein filed this Writ Appeal.

2. The issue before the learned single judge was whether the action of the appellant in restricting the benefit of revised pay scales to the respondents, who are working as Guide Lecturers, with effect from 01-04-1992 instead of from 1986, when pay scales were revised to the category of Guide Lecturers in the Archaeology and Museums Department of Government of Andhra Pradesh, was correct or not. By well reasoned order, the learned single judge held that there was no justification for the appellant to deny the benefit of revised pay scales to the respondents from 1986 as extended to the Guide Lecturers in the Department of Archaeology and Museums. The learned single judge relied on, and in our view rightly, Rule 4 (ix) of T.T.D. Employees Service Rules, 1989, under which the employees of T.T.D. shall be governed by any other executive instructions and Government Orders that are issued from time to time by the Government in respect of their employees which are not inconsistent with the Act and Rules made thereunder. Admittedly, no rule was prescribed fixing pay scales of the Guide

Lecturers of the T.T.D. Evidently for this reason, the appellant, by its resolution dated 13-05-1998, adopted revised pay scales of the Guide Lecturers working in the Archaeology and Museums Department. While so adopting, the benefit of revised pay scales is extended only with effect from 01-4-1992. As rightly pointed out by the learned single judge, there is no rationale in restricting the benefit of implementation of revised pay scales from the said date instead of extending the same with effect from 1986 as extended to the Guide Lecturers in the Archaeology and Museums Department of Government of Andhra Pradesh.

3. For the aforementioned reasons, we do not find any merit in this Writ Appeal and the same is accordingly dismissed. The appellant is however permitted to pay the arrears to the respondents within three months from the date of receipt of a copy of this order.

4. As a sequel to dismissal of the Writ Appeal, W.A.M.P.No. 2788 of 2017 shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J.

K.VIJAYA LAKSHMI, J.

Date: 16-10-2017.

JSK