

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 M. GANGA RAO

WRIT PETITION No.36156 OF 2017

Between:

G. Jagannadham S/o. Krishna,
Aged about 54 years, Occ: Junior Assistant,
O/o. Deputy Executive Engineer, I & CAD,
MIP Sub-Division, Satyanarayanapuram Post,
Charla Mandal, Bhadradri Kothagudem District and others.

...Petitioners

Vs.

The State of Telangana,
Rep. by its Principal Secretary,
Finance & Planning Department,
Secretariat, Hyderabad and others.

.. Respondents

For Petitioners : Sri K. Sarath

For Respondents : G.P. for Services-I (TG)



HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

HON' BLE SRI JUSTICE M. GANGA RAO

WRIT PETITION No.36156 OF 2017

ORDER: (per V. Ramasubramanian, J)

The petitioners, who belong to different departments, filed O.A. No.7203 of 2010 on the file of the A.P. Administrative Tribunal seeking regularization with effect from 25.11.1993 and not from the date of issuance of the orders of regularization. The Tribunal allowed the application, forcing the Government to come up before this Court by way of a writ petition in W.P. No.3670 of 2014. The said writ petition was allowed by a Division Bench of this Court by an order dated 11.02.2014 and the matter was remanded back to the Tribunal for a fresh disposal. But within four months of the date of order of the Division Bench, the State of Andhra Pradesh was bifurcated with effect from 02.06.2014. After two years of the order of remand, the Government of Telangana de-notified the jurisdiction of the Tribunal over the State of Telangana. Therefore, the order of this Court passed in the writ petition, remanding the matter back to the Tribunal, could not be given effect to.

2. Therefore, the counsel for the petitioners gave a letter to the Registry of the Tribunal on 17.06.2017. Unfortunately, instead of asking for appropriate relief, the petitioners requested the Registry of the Tribunal to post the O.A., which was remanded by this Court, before the appropriate Court. But, the Registry of the Tribunal returned the papers with certain curious endorsements, such as, (1) that the copy of the order of the High Court was not marked to the Tribunal, (2) that the Tribunal has lost jurisdiction over the State of Telangana.

3. Aggrieved by the endorsements made by the Registry of the Tribunal and seeking a direction to the Tribunal to transmit the papers in O.S No.7203 of 2010, the petitioners have come up with the above writ petition.

4. Heard Mr. K. Sarath, learned counsel for the petitioners. Learned Government Pleader for Services-I takes notice for the respondents.

5. The order passed by this Court in WP No.3670 of 2014 dated 11.02.2014, cannot now be given effect to, since the Tribunal has lost jurisdiction over the State of Telangana. The result of this stalemate is that the O.A. No.7203 of 2010, is now in a state of limbo, with the papers being in the Registry of the Tribunal, but the Tribunal having no jurisdiction to deal with the same.

6. Therefore, the Writ Petition is disposed of directing the Registry of the Tribunal to transmit the papers in O.A. No.7203 of 2010 to the file of this Court within two (2) weeks to enable this Court to number the same as a writ petition and take it up for disposal.

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

V. RAMASUBRAMANIAN, J

M. GANGA RAO, J

October 30, 2017

KTL