

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NOS.43837 OF 2017 AND 9728 OF 2018

COMMON ORDER

Present writ petitions have been filed challenging the inaction on the part of the 2<sup>nd</sup> respondent – Tirumala Tirupati Devasthanam, represented by its Executive Officer, in not implementing the resolution No.64 dated 25.06.2012 and in issuance of memo dated 01.07.2016 by the 1<sup>st</sup> respondent – State of Andhra Pradesh, represented by its Principal Secretary, Revenue (Endowments) Department, in the matter of regularization of the services of the petitioners, who are working as barbers, since 2001 on piece rate basis, by duly exempting them from possession of requisite qualification / age, keeping in view the judgment of this court in W.P.No.11233 of 2016 and W.P.No.25754 of 2017 dated 21.12.2017 and W.P.No.7748 of 2017 dated 3.1.2018.

Learned counsel appearing for petitioners in both the writ petitions submit that though the Board of Trustees of the Tirumala Tirupati Devasthanams (TTD) passed resolution in favour of the petitioners for absorbing their services, the 2<sup>nd</sup> respondent – Executive Officer, is not regularizing the services of the petitioner who are barbers, working on piece rate basis, on the ground that the resolution of the Board is not approved by the Government. Learned counsel stated that the *lis* in the present case is squarely covered by the order of a learned single Judge of this court in W.P.Nos.11233 of 2016 and 25754 of 2017 dated 21.12.2017, where the Executive Officer of TTD, sought to take similar ground, learned Single Judge, while rejecting the same, observed that there was no impediment to implement the resolution of the Committee/ Board and the Government's approval was not necessary to absorb the barbers therein, on regular basis. Learned counsel sought to pass similar order.

On 09.04.2018, learned Standing Counsel for 2<sup>nd</sup> respondent sought adjournment, stating that as against the order of the learned single Judge, writ appeals have been filed and the matters were posted to 16.04.2018.

Today also, the learned Standing Counsel seeks adjournment on the ground of pendency of writ appeals.

There is no dispute that as on today, no stay has been granted against the order of the learned single Judge dated 21.12.2017.

The relevant portion of the order of the learned single Judge dated 21.12.2017 in W.P.Nos.11233 of 2016 and 25754 of 2017, reads as under:

“It is also brought to the notice of this Court that some barbers not covered by the order in the said writ petition submitted a representation for their regularization and orders were issued by the second respondent on 24.07.2012 absorbing them without referring the matter to the first respondent.

Viewed from any angle, the writ petitions deserve to be allowed and are accordingly allowed by setting aside the Memo dated 10.05.2013 of the first respondent and directing the second respondent to regularise the services of the petitioners who were appointed on piece rate system in the years 2006 and 2007 as per the resolution of the TID board dated 25.06.2012, within a period of three months from the date of receipt of a copy of this order.

The writ petitions are accordingly allowed. Consequently, miscellaneous petitions, if any pending, in this writ petition, shall stand closed. There shall be no order as to costs.”

Present writ petitions are also allowed *mutatis mutandis* in terms of the above order dated 21.12.2017 in W.P.Nos.11233 of 2016 and 25754 of 2017.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

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A. RAJASHEKER REDDY, J

DATE: 23—04—2018  
AVS