

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

(Special Original Jurisdiction)

THURSDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE R.KANTHA RAO

WP .NO:17714 of 2015

Between:

- 1 Bhargavi Pothuri W/o. K.S.S. Nagaraju, Asst. Engineer, R/o. 16/C,
B.K. Guda Park, S.R. Nagar, Hyderabad.
- 2 M.R. Satya Gopal S/o. M. Kameswara Rao, Legal Officer, R/o. Plot
Nos.62 & 63, Behind J.J. Hospital, Kalyan Nagar, Phase-I, Vengalrao
Nagar, Hyderabad.
- 3 K. Uma Maheswari W/o. P. Srinivas, Personal Officer, Mint
Compound, South, Hyderabad.
- 4 K. Suneetha W/o. K. Raja Babu, Asst. Engineer, OP/ Peddamul,
Vikarabad Division, Ranga Reddy District.

..... Petitioners

AND

- 1 The State of Telangana, rep. by its Principal Secretary to Government,
Department of Energy, Government of Telangana, Secretariat,
Hyderabad.
- 2 Southern Power Distribution Company Limited of Telangana
(TSSPDCL), rep. by its Chairman & Managing Director, 5th Floor,
Corporate Office, Mint Compound, Hyderabad.
- 3 Transmission Corporation of Telangana Limited (TSTRANSCO),
Rep. by its Chairman & Managing Director, Vidyuth Soudha,
Khairathabad, Hyderabad.
- 4 Andhra Pradesh Southern Power Distribution Company Limited,
(APSPDCL), rep. by its Chairman & Managing Director, Tirupati,
Chittoor District, Andhra Pradesh.
- 5 The State of Andhra Pradesh, rep. by its Principal Secretary to
Government, Department of Energy, Government of Andhra Pradesh,
Secretariat, Hyderabad.
- 6 Andhra Pradesh Transmission Corporation of Limited
(APTRANSCO), Rep. by its Chairman & Managing Director, Vidyuth
Soudha, Khairathabad, Hyderabad.
- 7 Andhra Pradesh Eastern Power Distribution Company Limited,
(APEPDCL), rep. by its Chairman & Managing Director,
Visakhapatnam, Andhra Pradesh.
- 8 Union of India, rep. by its Home Secretary, New Delhi.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the letter No.686/HR-A1/2015, dated 06.06.2015 of the 1st Respondent unilaterally approving guidelines to be followed for final allocation of employees in the power sector of the State of Telangana, the consequential order passed by the 3rd Respondent TSTRANSCO in letter No.CMD/TSTRANSCO/CGM(HRD)/DS (P.I.IR&R)/CC/D.No.1586-5/2015, dated 09.06.2015 preparing the final list of employees and Memo No.CGM(HRD)/GM(Adm.IR&L)/AS(Estt/PO-Estt/547-D2/15, dated 10.06.2015 of the 2nd Respondent relieving the Petitioners as arbitrary, illegal, without jurisdiction, contrary to the provisions of the Andhra Pradesh Reorganisation Act, 2014, contrary to the decision contained in the Minutes of the Meeting which took place in the presence of Additional Secretary, Ministry of Home Affairs, Government of India on 20.03.2015, violative of the principles of natural justice, violative of the fundamental rights guaranteed to the Petitioners under the Constitution of India;

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W.P.M.P.No.22916 OF 2015
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Petition under Section 151 of C.P.C. Praying that in the circumstances stated in the affidavit filed in W.P. the High Court may be pleased to suspend the operation of the letter No.686/HR-A1/2015, dated 06.06.2015 of the 1st Respondent, the consequential order passed by the 3rd Respondent TSTRANSCO in letter No.CMD/TSTRANSCO/CGM(HRD)/DS(P.I.IR&R)/CC/D.No.1586-5/2015, dated 09.06.2015 and Memo No.CGM(HRD)/GM(Adm.IR&L)/AS(Estt/PO-Estt/547-D2/15, dated 10.06.2015 of the 2nd Respondent by duly continuing the Petitioners in service, pending disposal of W.P.No.17714 of 2015 on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and upon hearing the arguments of SRI C.SUMON Advocate for the Petitioners, learned Government Pleader for Energy (T.G.), for Respondent No.1, SRI P.Vinod Reddy, learned Standing Counsel for Respondent No.2, Smt.J.Koteswari Devi, learned Standing Counsel for Respondent Nos.3 & 7, learned Government Pleader for Energy (A.P.), for Respondent No.5, Sri N.Siva Reddy, learned Standing Counsel for Respondent No.6, and of Sri B.Narayana Reddy, learned Assistant Solicitor General of India, for Respondent No.8, the Court made the following:

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ORDER:
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Heard the learned counsel appearing for the petitioner and the learned Government Pleader for Energy for the State of Telangana appearing for

the 1st respondent.

It is stated that this Court in similar circumstances granted interim suspension of the impugned orders in W.P.No.16504 of 2015 and batch, dated 12.6.2015.

In view of the above, there shall be interim suspension of the impugned order, dated 6.6.2015 and the consequential order dated 10.6.2015. The respondents shall not give effect to the impugned orders.

Post after one week for filing counter.

ASSISTANT REGISTRAR
//TRUE COPY//
For ASSISTANT REGISTRAR

To

- 1 The Principal Secretary to Government, Department of Energy, Government of Telangana, State of Telangana, Secretariat, Hyderabad.
- 2 The Chairman & Managing Director, Southern Power Distribution Company Limited of Telangana (TSSPDCL), 5th Floor, Corporate Office, Mint Compound, Hyderabad.
- 3 The Chairman & Managing Director, Transmission Corporation of Telangana Limited (TSTRANSCO), Vidyuth Soudha, Khairathabad, Hyderabad.
- 4 The Chairman & Managing Director, Andhra Pradesh Southern Power Distribution Company Limited, (APSPDCL), Tirupati, Chittoor District, Andhra Pradesh.
- 5 The Principal Secretary to Government, Department of Energy, State of Andhra Pradesh, Secretariat, Hyderabad.
- 6 The Chairman & Managing Director, Andhra Pradesh Transmission Corporation of Limited (APTRANSCO), Vidyuth Soudha, Khairathabad, Hyderabad.
- 7 The Chairman & Managing Director, Andhra Pradesh Eastern Power Distribution Company Limited, (APEPDCL), Visakhapatnam, Andhra Pradesh.
- 8 The Home Secretary, Union of India, New Delhi. (1 to 8 BY RPAD)
- 9 One CC to SRI C.SUMON, Advocate (OPUC).
- 10 Two CCs to GP FOR ENERGY (T.G.), HIGH COURT, HIGH COURT BUILDINGS, HYDERABAD (OUT)
- 11 Two CCs to GP FOR ENERGY (A.P.), HIGH COURT, HIGH COURT BUILDINGS, HYDERABAD (OUT)
- 12 One spare copy.

SRL

HIGH COURT

RKRJ

DATED: 18.06.2015

NOTE: POST AFTER ONE WEEK FOR FILING COUNTER.

ORDER

W.P.NO. 17714 OF 2015

INTERIM SUSPENSION

HIGH COURT

Drafted by: SRL

Date of Drafting : 22.06.2015

RKRJ

DATED: 18.06.2015

NOTE: POST AFTER ONE WEEK FOR FILING COUNTER.

ORDER

W.P.NO. 17714 OF 2015

INTERIM SUSPENSION