

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.11019 of 2019

ORDER:

This writ petition is being disposed of at the stage of admission, with the consent of both the parties.

2. This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking a writ of Mandamus to declare the action of the respondent No.1 in not considering the representation, dated 05.05.2018, submitted by him for changing his surname from 'Shibbadakula' to 'Bijigiri' in the office records, in pursuance of the letter, 30.10.2016, vide Lr.No.MMR/PER/M/234/16/6183 and also in pursuance of Telangana Gazette notification, dated 25.06.2014, as illegal, arbitrary and violative of the principles of natural justice and for a consequential direction to the respondents to change the name of the petitioner as 'Bijigiri Narasiah' instead of 'Shibbadakula Narasiah' in the office records.

3. Heard Sri B.Sai Vamshi, learned counsel for the petitioner and Sri J.Srinivasa Rao, learned Standing Counsel for Singareni Collieries Company Limited, appearing for the respondents.

4. It has been contended by the petitioner that initially, he was appointed as a Floating Badli Filler in the respondent Company with effect from 16.10.1986 and ever since, he was discharging his duties to the utmost satisfaction of his superiors. The petitioner further contended that at the time of his initial appointment in the respondent Company, his surname was incorrectly recorded as 'Shibbadakula' instead of 'Bijigiri'. Thereafter, the petitioner has

taken steps for changing his surname from 'Shibbadakula' from 'Bijigiri' in the office records by approaching the competent authority, i.e., District Collector. After due process of law, the changed surname of the petitioner was published in the Telangana Gazette, dated 25.06.2014, changing his surname from 'Shibbadakula' to 'Bijigiri'. Thereafter, the petitioner has submitted representations on 11.08.2017, 26.10.2017, 24.04.2018 and lastly on 05.05.2018, to the respondent authorities to change his surname from 'Shibbadakula' to 'Bijigiri' in the office records, but however, the respondents have not taken any action on any of the aforementioned representations submitted by the petitioner. In those set of circumstances, the petitioner filed a Writ Petition before this Court, vide W.P.No.20878 of 2018, seeking a direction to the respondents to change his surname from 'Shibbadakula' to 'Bijigiri' in the office records and the said Writ Petition was dismissed as withdrawn by this Court, vide order, dated 30.04.2019, on the basis of the letter, dated 27.04.2019, filed by the learned counsel for the petitioner before the Registry stating that a typographical mistake has occurred in the cause title of the said writ petition. Thereafter, this writ petition is filed seeking a direction to the respondents to change the surname of the petitioner from 'Shibbadakula' to 'Bijigiri' in the office records maintained by the respondents, strictly in terms of the Telangana Gazette notification, dated 25.06.2014.

5. The learned Standing Counsel for Singareni Collieries Company Limited appearing for the respondents would submit that

if the petitioner submits a fresh representation to the respondents seeking change of his surname from 'Shibbadakula' to 'Bijigiri' in the office records, the respondents would consider the same and pass appropriate orders in accordance with law.

6. This Court, having considered the rival submissions made by both the parties, is of the considered view that this writ petition can be disposed of directing the petitioner to submit a fresh representation to the respondents to change his surname from 'Shibbadakula' to 'Bijigiri' in the office records, within a period of two (02) weeks from the date of receipt of a copy of this order; and upon receipt of such representation from the petitioner, the respondents shall consider the same and pass appropriate orders, strictly in terms of the Telangana Gazette Notification, dated 25.06.2014, within a period of four (04) weeks thereafter.

7. With the above observation/direction, this Writ Petition is disposed of. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

07th June, 2019
Bvv

ABHINAND KUMAR SHAVILI, J