

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.1279 OF 2020

DATE : 23.01.2020

Between :

M.Raghavendra, s/o. Maddilety, Aged about 26 years,
Talam Vidwan, Sri Parvathi Jadala Ramalingeswara Swamy
Devastanam, Cheruvugattu village, Narkatpalli mandal,
Nalgonda district.

..... Petitioner

And

The State of Telangana, rep. by its Prl Secretary,
Revenue (Endowments) Department, Secretariat
Buildings, Hyderabad and two others.

.....Respondents



The Court made the following:

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ORDER :

Petitioner was appointed as Bajanthri on consolidated pay of 9,000/- on 15.04.2014 in 3rd respondent-temple. While sending proposals to the Government to grant regularization, the Assistant Commissioner straightaway ordered to regularize and fix the time scale of pay of petitioner in the post of Talam Vidwan, which is different post from the post, to which he was appointed earlier. Having verified that the order of the then Assistant Commissioner is contrary to the required procedure, show-cause notice was issued on 08.12.2018 calling upon the petitioner to explain why earlier orders should not be recalled. Petitioner claimed to have submitted detailed explanation dated 21.12.2018. This writ petition is filed alleging that the time scale sanctioned to the petitioner by the Assistant Commissioner on 27.07.2016 cannot be withheld and he cannot be deprived of payment of Dearness Allowance and, therefore, seeks direction to pay enhanced Dearness Allowance, arrears of Dearness Allowance from July, 2018 and to release the increments from July, 2019.

3. Having entertained doubt on validity of regularization and fixation of pay passed by earlier Assistant Commissioner, the Assistant Commissioner called upon the petitioner to submit his explanation and petitioner has submitted his explanation; the Court is not inclined to express opinion on merits of the claim made by the petitioner and validity of earlier decision as the issue is pending consideration of the competent authority. Writ Petition

is disposed of, directing the Assistant Commissioner of 3rd respondent-temple to take a decision on due consideration of explanation submitted by the petitioner by assigning reasons in support of the decision as expeditiously as possible, preferably within a period of four weeks from the date of copy of receipt of this order. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 23.01.2020

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