

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE FOURTH DAY OF MARCH TWO THOUSAND AND
TWENTY FOUR

:PRESENT:

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI
WRIT PETITION NO: 10522 OF 2021

Between:

G.V.Bhagavanthu., S/o.Hanumanthu, Aged 55 years, Attender, Pebbair Municipality, Wanaparthy District

Petitioner

AND

1. State of Telangana, represented by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Hyderabad
2. The Commissioner and Director of Municipal Administration, State of Telangana, Hyderabad
3. Additional Collector (LB), Wanaparthy
4. Pebbair Municipality, represented by its Commissioner, Pebbair, Wanaparthy District

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to declare the action of the Respondents in not paying salary to the petitioner attached to the post of Attender though the said post was converted into Last Grade Service by proceedings of the District Panchayat Officer, Mahabubnagar bearing No. A2/3514/90, dated 16-08-1990 services of the petitioner have also been regularised by SR entry vide bearing No.A2/5581/92, dated 26-12-1992 as illegal, arbitrary and violative of Article 14 and 16 of the Constitution of India by issuing appropriate writ order or direction more particularly in the nature of Mandamus and consequently direct the Respondents to continue to pay salary attached to the post of Attender;

IA NO: 1 OF 2021:

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 2nd and 4th Respondents to pay salary to the petitioner attached to the post of Attender from August, 2020 and continue to pay the same pending disposal of the WP 10522 of 2021, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court order dated 23/04/2021 made in IA.No.1 of 2021 in W.P.no.10522 of 2021 and upon hearing the arguments of SRI K RAMA SUBBA RAO Advocate for the Petitioner and GP FOR SERVICES 1 to 3 and Sri T Venkatesham (S.C.) for the Respondent 4, the Court made the following.

ORDER:

The learned Standing Counsel appearing for the fourth respondent submitted that the proposal to absorb the petitioner's services is pending with the second respondent.

Learned counsel for the petitioner also pointed out to the reference No.1 in the letter of Commissioner, Pebbair Municipality addressed to the Regional Director-cum-appellate Commissioner, Hyderabad, dated 29-10-2020 wherein there is a reference to the said proposal.

Since the matter is of 2021 and the proposal is still pending with the second respondent, this Court deems it fit and proper to direct the second respondent to take a decision, if not already taken, and communicate the same to the petitioner within a period of two weeks. If a decision has already been taken, the same shall be communicated to the petitioner forthwith.

List on 18.03.2024.

SD/- MOHD. SANULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Telangana Secretariat, Hyderabad
2. The Commissioner and Director of Municipal Administration, State of Telangana, Hyderabad
3. The Additional Collector (LB), Wanaparthy
4. The Commissioner, Pebbair Municipality, Pebbair, Wanaparthy District (1 to 4 by RPAD)
5. One CC to SRI. K RAMA SUBBA RAO Advocate [OPUC]
6. Two CCs to GP FOR SERVICES, High Court at Hyderabad. [OUT]
7. One spare copy

HIGH COURT

TMDJ

DATED:04/03/2024

POST ON 18-03-2024

ORDER



WP.No.10522 of 2021

DIRECTION