

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**FRIDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

**THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI
AND**

THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

WRIT PETITION NO: 18243 OF 2015

Between:

1. The State of Telangana, Rep. By its Principal Secretary, Home Department, Secretariat Buildings, Hyderabad.
2. The Additional Director General of Police, Home Guards, Hyderabad.
3. The Commandant, Home Guards, Hyderabad City, Hyderabad.

(C.T. of petitioner No.1 is amended as per Court Order dated 18-6-2015 in WPMP.No.22783 of 2015)

**...PETITIONERS/
RESPONDENTS IN
O.A.No.5516 of 2014**

AND

1. D.Ravinder, S/o. D Narsaiah, Occ: Home Guard (5019), (under order of removal), R/o. H.No. 4-7-3/2, 2nd Floor, Raghavendra Nagar, Nacharam, Uppal, Hyderabad

**....RESPONDENT/
APPLICANT IN
O.A.No.5516 OF 2016**

2. A.P Administrative Tribunal, Rep by Registrar, Purana Haveli, Hyderabad.

...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 issue a Writ order or direction more particularly one in the nature of "Writ of Certiorari" and to call for records related to order of Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad dated: 17.09.2014 in U.A. NO.5516/2014 and quash or set aside the same.

I.A.NO 2 OF 2015(WPMP, NO: 23618 OF 2015)

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 suspend the operation of the order, dated 17.09.2014 passed in OA.No.5516/2014, on the file of the Hon'ble AP Administrative Tribunal, Hyderabad pending disposal of the writ petition.

Counsel for the Petitioners : GP FOR SERVICES - I

Counsel for the Respondents : ----

The Court made the following ORDER

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

AND

HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

Writ Petition No.18243 of 2015

ORDER : *(Per Hon'ble Sri Justice Abhinand Kumar Shavili)*

When the matter is taken up for hearing, learned Government Pleader for Services-I, appearing for the petitioners submitted that the issue raised in the present Writ Petition is squarely covered by a orders passed by the Division Bench of this Court in Writ Petition No.1539 of 2014, which was dismissed by this court *vide* order dated 11.10.2022.

In view of above, by following the orders passed by the Division Bench of this Court in Writ Petition No. 1539 of 2014, which was dismissed by this Court *vide* order dated 11.10.2022, the present Writ Petition also deserves to be dismissed on similar lines.

Accordingly, the Writ Petition is dismissed as above. No costs.

As a sequel, miscellaneous applications pending if any in this Writ Petition, shall stand closed.

//TRUE COPY//

SD/-K.AMMAJI
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. Two CC to GP FOR SERVICES- I, High Court for the State of Telangana at Hyderabad. [OUT]
2. Two CD Copies
3. One spare copy
(Along with a copy of the order dated 11-10-2022 passed in WP.No.1539 of 2014)

S.A
BS



HIGH COURT

DATED:30/12/2022

ORDER

WP.No.18243 of 2015



**DISMISSING THE W.P
WITHOUT COSTS.**

5 Copies
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24/01/23

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI
AND
THE HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

Writ Petition No.1539 of 2014

ORDER : *(Per Hon'ble Justice Abhinand Kumar Shavili)*

When the matter is taken up for hearing, learned Government Pleader for Services-I, appearing for the petitioners, has fairly conceded that the issue raised in the present Writ Petition is squarely covered by a judgment rendered by this Hon'ble Court in Writ Petition No.35460 of 2013 and batch, dated 08.06.2018 and that the present Writ Petition is also liable to be dismissed.

2. A learned Division Bench of this Hon'ble Court in Writ Petition No.35460 of 2013 and batch, dated 08.06.2018 has held as under :

"On the above analysis, the Writ Petitions are dismissed but subject to the following conditions :

1. *The first respondents-applicants in all these cases shall be subjected to a physical test to ascertain their fitness before being reinducted in service as Home Guards. An objective and transparent procedure shall be adopted by the State and its police officials in this regard and all deserving candidates shall again be enrolled on the rolls of the Home Guards Organization.*

2. *Enrollment of such deserving candidates shall, however, not have the effect of conferring upon them*

the benefit of continuity of service, seniority, arrears of pay etc. for all purposes. Their enrolment would be on par with fresh appointments.

*Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.**

3. This Court, having considered the submissions of the learned Government Pleader for Services-I, appearing for the petitioners, is of the considered view that since similar issue which was raised in the present Writ Petition has already been adjudicated by this Hon'ble Court vide Writ Petition No.35460 of 2013 and batch, dated 08.06.2018; therefore, following the order passed in the said writ petition and for reasons alike, the present Writ Petition is also dismissed as above. No costs.

4. As a sequel, miscellaneous applications pending if any in this Writ Petition, shall stand closed.

ABHINAND KUMAR SHAVILI, J

NAMAVARAPU RAJESHWAR RAO, J

Date : 11.10.2022

Note :: Office is direct to annex copy of the order passed in Writ Petition No.35460 of 2013 and batch, dated 08.06.2018 to this file.

Ndr / Tmk