

[3318]

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

THURSDAY, THE TWENTIETH DAY OF OCTOBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI
AND
THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

WRIT PETITION NO: 23971 OF 1999

Between:

M. Srinivasulu, S/o M. Durgaiah, aged about 53 years, working as Addl. Charge
Dy. Executive Engineer, Public Health, Nizambad.

...PETITIONER

AND

1. The Government of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat, Hyderabad – 22.
2. The Engineer-in-Chief, Public Health and Municipal Engineering Department, A.C. Guards, Hyderabad – 500025.

...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 call for the records and quash the order dated 08.09.99 made in O.A. No.8605/98 & batch on the file of Andhra Pradesh Administrative Tribunal, Hyderabad and further direct the respondents to review the earlier promotion to the category of Deputy Executive Engineers, Executive Engineers based on final seniority list issued in G.O.77 MA, dated 04.03.97 in the category of Asst. Executive Engineers within two months by issuing a writ of certiorari or any other appropriate writ or order or direction.

I.A. NO: 1 OF 1999(WPMP. NO: 30123 OF 1999)

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 orders dated 08.09.99 passed in O.A.No.8605/98 & batch on the file of APAT Hyderabad and further direct the respondents to promote the petitioner on adhoc basis to the next higher posts duly reviewing earlier promotions as per Supreme Court directions in Venkat Roddy's case at para 16, within 2 months based on the seniority list issued in G.O.Ms.No.77 MA, dated 04.03.97, pending disposal of the writ petition.

I.A. NO: 1 OF 2000(WPMP. NO: 27463 OF 2000)

Between:

M.A. Shukoor, S/o Mahaboob Subani, aged 42 years, Occ: Municipal Asst.
Executive Engineer, Telani Municipality, Tenali, Guntur District.

...Petitioner-Proposed Respondent

AND

1. M. Srinivasulu, S/o M. Durgaiah, aged about 53 years, working as Addl. Charge Dy. Executive Engineer, Public Health, Nizambad.
2. The Government of Andhra Pradesh, rep, by its Principal Secretary, Municipal Administration and Urban Development, Secretariat, Hyderabad – 22.
3. The Engineer-in-Chief, Public Health and Municipal Engineering Department, A.C. Guards, Hyderabad – 500025.

...Respondents

Petition under Section 16-A of Writ Rules, praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to implead the Petitioner – Proposed Respondent as Respondent No.3 in this Writ Petition.

I.A. NO: 2 OF 2000(WPMP. NO: 27464 OF 2000)

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 clarify that the Order dated 19.01.2000 passed in W.P.M.P.No.30123 of 1999 in W.P.No.23971 of 1999 on the file of this Hon'ble Court to the effect that there should be interim direction to the Respondents not to take steps pursuant to the order passed by A.P. Administrative Tribunal in O.A.No.8605/98, dt: 09.08.1999 is not applicable to the service conditions including promotion of the Petitioner proposed Respondent who is working as Municipal Assistant Executive Engineer, Tenali Municipality, Tenali, governed by the Andhra Pradesh Municipal Engineering Service Rules 1977, whose name is recorded in Seniority List notified in the proceedings No.E4(1)/36078/78, dated 10.02.1992 issued by the 2nd Respondent in the Writ Petition which is not challenged in any Court of Law and which is acted upon.

I.A. NO: 3 OF 2000(WPMP. NO: 27465 OF 2000)

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 receive the material papers submitted along with this Petition as documentary evidence on behalf of the Petitioner- Proposed Respondent.

I.A. NO: 2 OF 2003(WPMP. NO: 2900 OF 2003)

Between:

B.N. Rajeswar, S/o B.K. Narasaiah, Aged about 50 years, working as Dy. Executive Engineer Public Health & Municipal Administration Department, presently working in Municipal Corporation of Hyderabad.

...Petitioner/Proposed Respondent

AND

1. M. Srinivasulu, S/o M. Durgaiah, aged about 53 years, working as Addl. Charge Dy. Executive Engineer, Public Health, Nizambad.

...Respondent/Petitioner

2. The Government of Andhra Pradesh, rep, by its Principal Secretary, Municipal Administration and Urban Development, Secretariat, Hyderabad – 22.
3. The Engineer-in-Chief, Public Health and Municipal Engineering Department, A.C. Guards, Hyderabad – 500025.

...Respondents

Petition under Section 16-A of Writ Rules, praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to impleaded petitioner as respondent No.3 in W.P.M.P.No.30123 of 1999 and in W.P.No.23971 of 1999 for the reasons indicated above and the petitioner is necessary and proper party.

I.A. NO: 1 OF 2003(WVMP. NO: 560 OF 2003)

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 vacate the interim orders dated 19.01.2000 in W.P.M.P.No.30123 of 1999 and in W.P.No.23971 of 1999.

Counsel for the Petitioner: SRI. N. JANAKI RAMA RAO

**Counsel for the Respondents: GP FOR MUNICIPAL ADMINISTRATION AND
URBAN DEVELOPMENT**

Counsel for the Proposed Respondent: SRI D.V. REDDY

Counsel for the Proposed Respondent: SRI P. BALAKRISHNA MURTHY

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

AND

THE HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

WRIT PETITION No.23971 of 1999

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

Learned counsel appearing for the petitioner has informed the Court that the writ petition has become infructuous.

2. In view of the same, Writ Petition is dismissed as infructuous. There shall be no order as to costs.

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

**SD/- K.SREERAMA MURTHY
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri. N. Janaki Rama Rao, Advocate [OPUC]
2. Two CCs to GP for Municipal Administration and Urban Development, High Court for the State of Telangana at Hyderabad. [OUT]
3. One CC to Sri. D.V. Reddy, Advocate [OPUC]
4. One CC to Sri P. Balakrishna Murthy, Advocate [OPUC]
5. Two CD Copies

**CHR
GJP**

HIGH COURT

DATED:20/10/2022

ORDER

W.P.No.23971 of 1999



**DISMISSING THE WRIT PETITION
AS INFRUCTUOUS
WITHOUT COSTS**