

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

**TUESDAY, THE FIFTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION NO: 22010 OF 2015

Between:

D. Satya Narayana, S/o. Late Doriseti Bheemalah, Aged about 27 years,
Occ: Unemployee, R/o. H.No.1-127/1, Lingapur Village, Akinapalli Post,
Bellampally Mandal, Adilabad District.

...PETITIONER

AND

1. The Singareni Collieries Company Limited, Rep. by its Chairman & Managing Director, Khairatabad - P.O. Singareni Bhavan, Red Hills, Nampally, Post Box No.18, Khairatabad - P.O. Hyderabad - 500 004
2. The Director (PA & W), The Singareni Collieries Company Limited, Kothagudem, Khammam District. PIN-507 101
3. The General Manager (IR & PM), The Singareni Collieries Company Limited, Kothagudem, Khammam District. PIN-507 101
4. The General Manager, The Singareni Collieries Company Limited Mandamarri Area, Adilabad District. PIN-504211

...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 an order or orders or direction or writ more particularly in the nature of mandamus declaring the action of the Respondents in issue of the letter Vide Proc Ref No MMR/PER/L/062/ 116/757 Dt 31/1/2016 issued by the Respondent No 4 in denying claim to provide any suitable employment to the petitioner as illegal, arbitrary, unconstitutional null and void and the contrary to the terms of the Circular No P 40 5214 / IR /1875 Dt 5-9-1997 issued by the Respondent No 1 Company and consequently direct the Respondents to provide any suitable employment to the petitioner in terms of the Circular No. P. 40. 5214 / IR /1875 Dt 5- 9 -1997 issued by the Respondent No 1 Company and

consequently direct the Respondents to provide any suitable employment to the petitioner in terms of the Circular No.p.40. 5214/IR/1875 dt. 5-9-1997 issued by the Respondent No. 1 Company and allow the above W P No 22010 of 2015 filed by of the Petitioner

(Prayer is Amended as per C.O. dt 08/08/2022 in I.A OF 2022)

I.A. NO: 1 OF 2015(WPMP. NO: 28362 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 direct the Respondents to consider the case of the petitioner for appointment to any suitable employment to the petitioner in terms of the Circular No. P. 40 5214 / IR/1875 Dt:5-9-1997 issued by the Respondent No.1 Company, during the pendency of the Writ Petition.

I.A. NO: 2 OF 2015(WPMP. NO: 33931 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 receive the Additional Documents in the above W.P. No. 22010 of 2015 filed on behalf of the Petitioner during the pendency of the Writ Petitioner.

I.A. NO: 1 OF 2016(WPMP. NO: 33665 OF 2016)

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 set aside the letter Vide. Proc. Ref.No.MMR/PER/ L/062/ /16/757 Dt: 31-1-2016 issued by the Respondent No.4 in denying claim to provide any suitable employment to the petitioner as illegal as the same is contrary to the terms of the Circular No. P. 40. 5214 / IR 11875 Dt: 5 9 - 1997 issued by the Respondent No. 1 Company and consequently direct the Respondents to provide any suitable employment to the petitioner in terms of the Circular No. P. 40. 5214 / IR /1875 Dt: 5 - 9 - 1997 issued by the Respondent No. 1 Company and allow the above W.P. No. 22010 of 2015 filed by of the Petitioner.

Counsel for the Petitioner: M/s. K. Lakshmi Manohar

Counsel for the Respondents: Sri. P. Sri Harsha Reddy (SC for Singareni Collieries CO.LTD)

The Court made the following: ORDER

HONOURABLE SRI JUSTICE E.V.VENUGOPAL

W.P.No.22010 of 2015

ORDER:

1. This writ petition was filed seeking to issue writ of mandamus, declaring the action of the respondents in not providing any suitable employment to the petitioner in terms of the Circular No.P.40.5214/IR/1875, dated 05.09.1997, issued by respondent No.1 Company as illegal and to consequently direct the respondents to provide any suitable employment to the petitioner in terms of the Circular No.P.40.5214/IR/1875, dated 05.09.1997 issued by respondent No.1 Company.

2. Learned counsel for the petitioner submits that the petitioner is seeking employment on compassionate and dependent ground as per Circular No.P.40.5214/IR/1875, dated 05.09.1997 issued by respondent No.1 Company. He also further draws the attention of this Court to the service register of the deceased Mr.D.Bheemaiah, wherein it is clearly shown that the date of birth of the petitioner as 16.04.1986. He also draws the attention of this Court to

the study certificates of the petitioner enclosed along with the writ petition. He further draws the attention of this Court to the letter written by General Manager to the Deputy General Manager Personal dated 18.03.2005, stating that the name of the writ petitioner is being kept in the label register and further submits that when the writ petition was filed his age was 24 now he has crossed 33 years but still awaiting justice from this Court apart from suffering of being unemployed and suffering at the hands of respondent company and therefore seeks this Court's intervention to grant the relief as prayed for.

3. On the other hand, Sri.P.Sri Harsha Reddy, learned counsel for respondents submits that the deceased father of the petitioner has stated and disclosed the age of the petitioner was one year in the year 1988 and was expired on 1998 and further contends that in the absence of enrolling the petitioner under live roster the case of the petitioner cannot be considered which is in violation of regulations of respondent company and also draws the attention of this Court to the letter written by the mother of

petitioner dated 16.06.2011, wherein she has stated that she being an uneducated woman and could not incorporate her son's name in the Live roster for providing dependent employment to her son on his attaining 18 years of age and nobody has informed about the Live Roster at that time. He further contends that this ignorance cannot excused and contends that their case is an admitted fact that the petitioner has not brought his name in Live Roster as prescribed under the Regulations Act.

4. This Court after considering the rival contentions is of the view that the petitioner has made out his case and based upon facts and circumstances of the case, this Court deems it appropriate to dispose of the writ petition directing the respondents to consider the case of the petitioner in accordance with law and in terms of the Circular No.P.40.5214/IR/1875, dated 05.09.1997 and in terms of dependant eligibility as per the procedure laid down by the respondent company with prospective effect, within four (4) weeks from the date of receipt of copy of this order.

5. With the above direction, the writ petition is disposed of. There shall be no order as to costs.

6. Miscellaneous petitions, if any, pending in this writ petition, shall also stand closed.

SD/-K.AMMAJI
ASSISTANT REGISTRAR



SECTION OFFICER

//TRUE COPY//

To,

1. The Chairman & Managing Director, Singareni Collieries Company Limited, ,
Khairatabad - P.O. Singareni Bhavan, Red Hills, Nampally, Post Box No.18,
Khairatabad - P.O. Hyderabad - 500 004
2. The Director (PA & W), The Singareni Collieries Company Limited,
Kothagudem, Khammam District. PIN-507 101
3. The General Manager (IR & PM), The Singareni Collieries Company Limited,
Kothagudem, Khammam District. PIN-507 101
4. The General Manager, The Singareni Collieries Company Limited Mandamarri
Area, Adilabad District. PIN-504211
5. One CC to Sri. K. Lakshmi Manohar, Advocate [OPUC]
6. One CC to Sri. P. Sri Harsha Reddy (SC for Singareni Collieries CO.LTD) ,
[OPUC]
7. Two CD Copies

T J
SW

B&K

HIGH COURT

DATED: 15/11/2022

ORDER

WP.No.22010 of 2015



**DISPOSING THE WRIT PETITION
WITHOUT COSTS.**

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BSR