

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

**WEDNESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

WRIT PETITION NO: 2750 OF 2018

Between:

Sri Raja Raja Pawan Kumar, S/o Sri Banda Sathyanarayana, Aged 26 years,
Occ: Doctor, Presently working at PAC, Rachipalli, Kakinada, East Godavari
District and Permanent, R/o H.no.18-7-179/5/, Gowlipura, Hyderabad.

...PETITIONER

AND

1. State of Telangana, Represented by its Principal Secretary, Public Health and Family Welfare Department, Secretariat, Hyderabad.
2. The Director of Public Health and Family Welfare, Government of Telangana, 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 an order, writ or direction more in the nature of a mandamus a. By declaring the action of the respondents in not considering the claim of the petitioner for selection and appointment to the post of Civil Assistant Surgeon pursuant to proceedings No.Rc.No.8201/E6.C/2017, Date.08-12-2017 bearing Notification No.01/2017 without giving weightage to the services rendered by the petitioner in the erstwhile state of Andhra Pradesh by putting condition at para 13-A c as illegal, arbitrary, unjust, discriminatory and violative of Articles 14,19 and 21 of the Constitution of India apart from being contrary to the provisions of A.P. Reorganization Act, 2014 more particularly Section 77 of the act for a consequential direction to the respondents to consider the claim of the petitioner for selection and appointments to the post of Civil Assistant Surgeon by extending the weightage for the service rendered by him with all consequential benefits.

IA NO: 1 OF 2018

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 be pleased to direct the respondents to forthwith consider the claim of the petitioner for selection and appointment to the post of Civil Assistant surgeon pursuant to the notification dated 8-12-2017 bearing No. 1/2017 by granting weightage for the service rendered by the petitioner in the erstwhile state of Andhra Pradesh without reference to the condition prescribed in para -13 A (c) of the said Notification No. 1/2017 dated 8-12-2017 NS, pending disposal of the main writ petition.

Counsel for the Petitioner: SRI A.P.VENUGOPAL

Counsel for the Respondents: GP FOR MEDICAL HEALTH & FAMILY WELFARE

The Court made the following: ORDER

HONOURABLE SRI JUSTICE E.V.VENUGOPAL

WRIT PETITION No.2750 of 2018

ORDER:

1. When the matter is taken up for hearing, Mr. Sri Krishna, learned counsel representing Mr. A. P. Venugopal, learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with a liberty to file fresh writ petition by making necessary amendments.
2. Permission is accorded.
3. Reserving such liberty, the writ petition is dismissed as withdrawn. No costs.
4. Miscellaneous petitions, if any, pending in this writ petition, shall also stand dismissed.

SD/-NAYANI CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. One CC to SRI A.P.VENUGOPAL, Advocate [OPUC]
2. Two CCs to GP FOR MEDICAL HEALTH & FAMILY WELFARE, High Court for the State of Telangana, at Hyderabad. [OUT]
3. Two CD Copies

PSK.

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HIGH COURT

DATED:15/03/2023

ORDER

WP.No.2750 of 2018



**DISMISSING THE WRIT PETITION
AS WITHDRAWN WITHOUT COSTS.**

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29/4/23