

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

TUESDAY ,THE FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE J SREENIVAS RAO

WRIT PETITION NO: 985 OF 2017

Between:

1. Dr. Modugu Venkateswarlu, S/o Pullaiah Age 36, yrs, Occ Contract Medical Officer, Dist Hospital, Khammam.
2. Dr. T Praveen Kumar, S/o Shankara Chary Age 34 years, Occ Contract Medical Officer, Dist Hospital, Karimnagar
3. Dr. J Nagendra Prasad, S/o Satyanarayana Age 34 years, Contract Medical Officer, Dist Hospital, Bhadrachalam, Bhadradi Kothagudem Dist.
4. Dr. R.Srinivasarao, S/o R Satyanarayana Age 35 years, Occ Contract Medical Officer, Dist. Hospital, Karimnagar
5. Dr.Y.Suresh, S/o Y Rama Rao Age 34 years, Occ Contract Medical Officer, Aswaraopet, Khammam.
6. Dr P.Sudheer, S/o Veeraiah Age 31 years, Occ Contract Medical Officer, Area Hospital, Kothagudem. Bhadradi Kothagudem Dist.
7. Dr.V Pavan, S/o Muttaiah Age 34 years, Occ Contract Medical Officer Dummagudem, Bhadrachalam, Bhadradi Kothagudem Dist
8. Dr. Sravan, S/o Ramadasu, Age 35 years Occ Contract Medical Officer, Dist. Hospital, Khammam
9. Dr R.Pavan, S/o late Anjaiah Age 35 years, Occ Contract Medical Officer Dist. Hospital, Nalgonda.
10. Dr Satya Chaitanya, S/o Raja Ram Mohan Rao Age 33 years, Occ Contract Medical Officer Area Hospital, Bhadrachalam, Bhadradi Kothagudem Dist

...PETITIONERS

AND

1. State of Telangana, rep.by its Principal Secretary, Health, Medical and Family Welfare Department Secretariat, Hyderabad.
2. The Commissioner, Public Health, Medical & Family Welfare Hyderabad.
3. The Director of Public Health, Medical & Family Welfare, Hyderabad.
4. Telangana State Public Services Commission, Rep.by its Secretary, 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 appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the G.O.Ms.No.169, Health, Medical and Family Welfare (81) Department dt.19.12.2016 issued by the respondent

No.1 to the extent it enhanced the weightage for experience of government service including contract service to 20% from the earlier existing weightage of 15% and also the reduction in the weightage for number of years since passing of the qualifying examination for recruitment to the post of Civil Assistant Surgeon in HM & FW Department as illegal, arbitrary, discriminatory, violative of principles of natural justice and consequently set aside the same to that extent and direct the respondents to proceed with recruitment to the posts of Civil Assistant Surgeons by restoring the weightage for number of years since passing of the qualifying examination to 10%

I.A. NO: 1 OF 2017(WPMP. NO: 1089 OF 2017)

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 G.O.Ms.No.169, Health, Medical & Family Welfare (B1) Department dt.19.12.2016 issued by the respondent No.1 to the extent it altered the earlier weightage prescribed for the number of years since passing of the qualifying examination for recruitment to the post of Civil Assist. Surgeon, pending disposal of the above Writ Petition

I.A. NO: 2 OF 2017(WPMP. NO: 1091 OF 2017)

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 respondent No.1 to implement the weightage for experience of government service including contract service and the weightage for number of years since passing of the qualifying examination as prescribed in G.O.Ms.No.105, dt:16-3-2013 in the ensuring recruitment to the post of Civil Assist. Surgeons in HM & FW Department, pending disposal of the above Writ Petition

**Counsel for the Petitioners: SRI. AJITH VARMA REP SRI. KOWTURU PAVAN
KUMAR**

**Counsel for the Respondents: SRI. A. SANJEEV KUMAR, SPECIAL
GOVT.PLEADER**

The Court made the following: ORDER

HON'BLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION No.985 of 2017

ORDER:

This writ petition is filed seeking the following relief:

“to issue an appropriate writ order or direction more particularly one in the nature of writ of Mandamus declaring the G.O.Ms.No.169, Health, Medical and Family Welfare (B1) Department dt.19.12.2016 issued by the respondent No 1 to the extent it enhanced the weightage for experience of government service including contract service to 20% from the earlier existing weightage of 15% and also the reduction in the weightage for number of years since passing of the qualifying examination for recruitment to the post of Civil Assist. Surgeon in HM and FW Department as illegal, arbitrary, discriminatory, violative of principles of natural justice and consequently set aside the same to that extent and direct the respondents to proceed with recruitment to the posts of Civil Assistant Surgeons by restoring the weightage for number of years since passing of the qualifying examination to 10%.”

2. Sri Ajith Varma, learned counsel representing Sri Kowturu Pavan Kumar, learned counsel for the petitioners and Sri A.Sanjeev Kumar, learned Special Government Pleader appearing for respondents.

3. During the course of hearing, learned Special Government Pleader informed this Court that pursuant to

the interim order granted by this Court in W.P.M.P.No.1091 of 2017 dated 06.01.2017, the respondents considered the representation submitted by the petitioners and passed detailed speaking order vide Memo No.718/B1/2017-3, dated 10.03.2017.

4. In view of the above, the cause in the writ petition does not survive. Accordingly, the Writ Petition is dismissed. However, liberty is granted to the petitioners to avail the remedies as are available under the law, if they are aggrieved by the said speaking order. No costs.

Pending miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

SD/- T. JAYASREE
ASSISTANT REGISTRAR

SECTION OFFICER

- To,
1. Two CCs to SPECIAL GOVERNMENT PLEADER ,High Court for the State of Telangana, at Hyderabad [OUT]
 2. One CC to SRI. KOWTURU PAVAN KUMAR, Advocate [OPUC]
 3. Two CD Copies
BM
GJP

Pma.

HIGH COURT

DATED:01/08/2023

ORDER

WP.No.985 of 2017



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

⑥ pme.
17/8/23.