

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**THURSDAY, THE FIFTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION (TR) NO: 4875 OF 2017

Between:

J. Shiva Shankar, S/o. Mallaiah, aged about 60 years, Special Deputy Collector (TW) (Retd.), Bhadrachalam, Khammam District.

...PETITIONER

AND

1. The State of Telangana rep. by its Secretary, Revenue Department, Secretariat Buildings, at Hyderabad-500022.
2. The Chief Commissioner of Land Administration, for the State of Telangana, Nampally Railway Station Road, Abids, Hyderabad-500001
3. The Collector and District Magistrate, Khammam District at Khammam-507001.

...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 declare G.O.Rt.No.700, Revenue (Vig.III) Department, dt. 12-5-2010 (Articles of charges) and its continuance, as illegal, arbitrary and unconstitutional being violative of Articles 14, 16 & 21 of Constitution of India and consequently direct the respondents to accord notional promotion to the applicant in the category of Deputy Collector on par with his immediate junior namely Sri K.Madhusudhan and further promotion as Special Grade Deputy Collector, based thereon and further fix his pensionary benefits based on such notional promotions, duly releasing the Annual Grade Increments which are due to him, on fixing his pay scales by applying the Revised Pay Scales as revised from time to time and direct the respondents to release the entire pensionary benefits based on such fixation, with interest, since the applicant retired from service on 31-03-2013.

Counsel for the Petitioner: SRI. S GOPAL RAO

Counsel for the Respondents: GP FOR SERVICES

The Court made the following: ORDER

HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION (TR) No. 4875 OF 2017

ORDER:

This writ petition (TR) is filed with a following prayer "to declare G.O.Rt No.700, Revenue (Vig.III) Department, dated 12.05.2010 (Articles of charges) and its continuance as illegal, arbitrary and consequently direct the respondents to accord notional promotion to the petitioner in the category of Deputy Collector on par with his immediate junior namely Sri.K.Madhusudhan and further promotion as Special Grade Deputy Collector, based thereon and further fix his pensionary benefits based on such notional promotions, duly releasing the Annual Grade Increments which are due to him, on fixing his pay scales by applying the Revised Pay Scales as revised from time to time and direct the respondents to release the entire pensionary benefits based on such fixation, with interest since the petitioner retired from service on 31.03.2013."

2. Today when the matter has been taken up for hearing, learned counsel for the petitioner submits that during pendency of the writ petition (TR), authorities has conducted enquiry against the petitioner and basing on the enquiry report punishment was imposed. Aggrieved by the same, the petitioner has filed

W.P.No.5179 of 2021, which is pending. Therefore, prayed this Court to close this writ petition (TR).

3. In view of the submission made by the learned counsel for the petitioner and since W.P.No.5179 of 2021 filed by the petitioner, challenging the punishment imposed against the petitioner is pending. Accordingly, this Writ Petition (TR) is closed.

4. Miscellaneous applications, if any pending, shall stand closed. No order as to costs.

//TRUE COPY//

SD/- K. AMMAJI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. One CC to Sri. S Gopal Rao, Advocate [OPUC]
2. Two CCs to GP for Services, High Court for the State of Telangana. [OUT]
3. Two CD Copies

TJ

GJPA

HIGH COURT

DATED:05/01/2023

ORDER

WP(TR).No.4875 of 2017



**CLOSING THE WRIT PETITION (TR)
WITHOUT COSTS.**

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25/1/23