

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

THURSDAY, THE TWENTY SIXTH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY FOUR

**PRESENT**

**THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI  
AND  
THE HONOURABLE SRI JUSTICE LAXMI NARAYANA ALISHETTY**

**WRIT PETITION NO: 25105 OF 2007**

**Between:**

1. The Director of Protocol, Department of Protocol, Public Gardens, Hyderabad-500 001.
2. The Government of Andhra Pradesh, rep by its Secretary, General Administration Department, Secretariat, Hyderabad.
3. Principal Secretary to Finance & Planning, (Finance Wing) Department, Secretariat, Hyderabad-500 022

**...PETITIONERS**

**AND**

1. D. Vekata Rao (Died per LRs)
2. M.Rajendra, Cleaner, O/o, Director of Protocol, Department of Protocol, at Public Gardens R/o.Hyderabad.
3. Smt D Vimala, w/o.D.Venkat Rao Aged About 40 Years Occ Housewife r/oH.No.11 4 526 527, Ashok Nivas Bazar Ghat Nampally Hyderabad

**R3 is brought on record as LR of deceased R1 as per court order dated 27-09-2018 in IA No.1 of 2016**

**...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 a Writ order or direction more particularly one in the nature of Writ of Certiorari calling for the records relating to the orders of the A.P. Administrative Tribunal, Hyderabad passed in OANo. 8389/2001 dated 03-8-2007 as being erroneous, illegal and unreasonable and quash the same.

**I.A. NO: 1 OF 2007(WPMP. NO: 32730 OF 2007)**

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 orders of the A.P. Administrative Tribunal passed in OANo. 8389/2001 dated 03-8-2007.

**Counsel for the Petitioner : GP FOR SERVICES I**

**Counsel for the Respondents: SRI GOPALA RAO GANDRAKOTA**

**The Court made the following: ORDER**

**THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI  
AND  
THE HON'BLE SRI JUSTICE LAXMI NARAYANA ALISHETTY**

**Writ Petition No.25105 of 2007**

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

Aggrieved by the order, dated 03.08.2007, passed in O.A.No.8389 of 2001 by the Andhra Pradesh Administrative Tribunal, Hyderabad (for short, 'the Tribunal'), the present Writ Petition is filed.

2. Heard the learned Government Pleader for Services-1 appearing for the petitioners.

3. Learned Government Pleader appearing for the petitioners had contended that the respondents were working as Cleaners, since 1981 and 1982 respectively and they were appointed under Rule 10 (a) (i) (1) of A.P. State and Subordinate Service Rules, 1996 (for short, 'the Rules'). The respondents were contending that they were paid regular pay scale attached to the post of Cleaners. When their cases were not considered for extending the regular pay scales, the respondents have approached the Tribunal by filing O.A.No.8389 of 2001 and the Tribunal *vide* order, dated 03.08.2007 was

pleased to allow the O.A and directed the petitioners to extend the regular pay scale attached to the post of Cleaner, as they were appointed under Rule 10 (a) (i) (1) of the Rules, without appreciating any of the contentions raised by the petitioners. Therefore, appropriate orders be passed in the Writ Petition by setting aside the order, dated 03.08.2007 passed in O.A.No.8389 of 2001 and allow the Writ Petition.

4. This Court, having considered the submissions made by the learned Government Pleader, is of the view that when once the respondents are appointed as per Rule 10 (a) (i) (1) of the Rules, they are entitled for regular pay scale attached to the post of Cleaners, more-over, this Court has not suspended the order of the Tribunal, which was filed way back in the year 2007 and now we are in the year 2024. Therefore, interfering with the orders passed by Tribunal at this point of time may not be feasible.

5. With the above observations, the Writ Petition is dismissed. No order as to costs.

6. As a sequel, miscellaneous applications pending if any, shall stand closed

//TRUE COPY//

SD/- T.JAYASREE  
ASSISTANT REGISTRAR  
SECTION OFFICER

To,

1. Two CCs to GP FOR SERVICES I, High Court for the State of Telangana at Hyderabad. [OUT]
2. One CC to SRI GOPALA RAO GANDRAKOTA, Advocate. [OPUC]
3. Two CD Copies.

BSK



HIGH COURT

DATED:26/09/2024



ORDER

WP.No.25105 of 2007

DISMISSING THE WRIT PETITION  
WITHOUT COSTS

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PLM  
10/12/10 per