

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

TUESDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

WRIT PETITION NOs: 8821, 9492 and 9495 OF 2020,
3898 and 3906 of 2021

W.P.No.8821 of 2020

Between:

M. Gopal, S/o M. Lingaiah Aged about 44 years, Occ. Office Secretary R/o H.No.3-3-112/11/A, Srimalli Gardens, Near Siripratap Residency Hyderguda, Rajendranagar, Ranga Reddy District

...PETITIONER

AND

1. The Union of India, Rep by its Director Central Hindi Directorate Ministry of Human Resources Development West Block VII Ramakrishnapuram, New Delhi 110066
2. Hindi Prachar Sabha Hyderabad, Rep by its General Secretary, Sriram Hindi Bhavan, L.N Gupta Marg, Nampally Station Road, Hyderabad, T.S.
3. Hindi Prachar Sabha Hyderabad, Rep by J. Prem Kumar, Sriram Hindi Bhavan, L.N Gupta Marg, Nampally Station Road, Hyderabad, T.S.

...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 Writ, Order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents passing office suspension order vide Letter No.925/2019 dated 02-12-2019 without following due process and suspending the petitioner from the post of office secretary of Hindi Prachar Sabha Hyderabad is illegal, arbitrary, in violation of Articles 14, 21 and 300-A of Constitution of India, besides in violation of principles of natural justice

and consequently set aside the suspension Order vide Letter No.925/2019 dated 02-12-2019.

IA NO: 1 OF 2020

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 suspension order vide Letter No.925/2019 dated 02-12-2019 issued in favour of the Petitioner and direct the Respondents to release the salary from the month of December 2019 till date, pending disposal of the above writ petition.

IA NO: 2 OF 2020

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 copy of Order dated 17-03-2020 passed in IA.No.112 of 2020 in SOP.No.61 of 2019 by the Hon'ble XI Additional Chief Judge City Civil Court, Hyderabad as additional material paper in W.P.No.8821 of 2020, in the interest of justice.

IA NO: 3 OF 2020

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 copies of 1 Order dated 20/03/2019 passed in IA No 1 of 2018 in CMA No 748 of 2018, 2 Judgement dated 08/06/2020 passed in CMAS No 748 of 2018, 3 Order dated 18/12/2019 passed in WP No 15766 of 2019 (4) FIR No 124/2018 dated 04/07/2018 (5) Police Complaint dated 02/12/2019 (6) Constitution of Hindi Prachar Sabha Bye Laws dated 19/02/1961 (7) GOMS No 124 dated 22/07/1970 (8) GOMS No 124 dated 13/10/2003, (9) Letter dated 14/07/2020 along with Translation (10) Letter dated 27/07/2020 with neat copy (11) Letter dated 10/08/2020 as additional material paper in W P No 9495 of 2020 in the interest of justice.

Counsel for the Petitioner : SRI M.A.K.MUKHEED

**Counsel for the Respondent No.1: SRI GADI PRAVEEN KUMAR,
DY.SOL.GENERAL**

Counsel for the Respondent No.2&3 : SRI J.VENKAT NARSIMHA REDDY

W.P.No.9492 OF 2020

Between:

H. Anand kumar, S/ o Late H. Gyaneshwar Rao, Aged about 54 years, Occ. Superintendent, R/ o H. No .3 - 1 - 54, Jamala Basti, Nimboliadda, Near A.K. Bhavan, Kachiguda, Hyderabad - 27

...PETITIONER

AND

1. The Union of India, Rep by its Director Central Hindi Directorate Ministry of Human Resources Development West Block VII Ramakrishnapuram New Delhi 110066
2. Hindi Prachar Sabha Hyderabad, Rep by its General Secretary, Sriram Hindi Bhavan, L.N Gupta Marg, Nampally Station Road, Hyderabad, T.S.
3. Hindi Prachar Sabha Hyderabad., Rep by J. Prem Kumar, Sriram Hindi Bhavan, L.N Gupta Marg, Nampally Station Road, Hyderabad, T.S.

(R- IS FORMAL PARTY)

...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 Writ, Order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents issuing suspension order in form of office notice vide Letter No.965/2020 dated 04/01/2020 without following due process of law not allowing the Petitioner to discharge his duties in Hindi Prachar Sabha Hyderabad is illegal, arbitrary, in violation of Articles 14, 21 and 300 - A of Constitution of India, besides in violation of principles of natural justice and consequently set aside the suspension Order vide Letter No.965/2020 dated 04/01/2020.

IA NO: 3 OF 2020

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 copies of (1) Order dated 20/03/2019 passed in I. A No.1 of 2018 in CMA No. 748 of 2018 (2) Judgment dated 08/06/2020 passed in CMAS No. 748 of 2018, (3) Order dated 18/12/2019 passed in W.P. No. 15766 of 2019 (4) FIR No. 124/2018 dated 14/07/2018 (5) Police Complaint dated 02/12/2019 (6) Constitution of Hindi Prachar Sabha (Bye Laws) dated 19/02/1961 (7) GOMS No.

1415 dated 22/07/1970 (8) GOMS No. 124 dated 13/10/2003 (9) Letter dated 14/07/2020 along with Translation (10) Letter dated 27/07/2020 with near copy (11) Letter dated 10/08/2020 (12) Auditors Letter dated 22/08/2019 as additional material paper in W.P. No 9492 of 2020 in the interest of justice.

IA NO: 1 OF 2020

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 suspension order vide Letter No.965/2020 dated 04-01-2020 issued in favour of the Petitioner without following due process of law and direct the Respondents to release the salary from the month of December 2019 till date, pending disposal of the above writ petition.

IA NO: 2 OF 2020

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 copy of Order dated 17-03-2020 passed in IA.No.112 of 2020 in SOP.No.61 of 2019 by the Honble XI Additional Chief Judge City Civil Court, Hyderabad as additional material paper in W.p.No.9492 of 2020, in the interest of justice.

Counsel for the Petitioner : SRI D.RAMAKRISHNA

**Counsel for the Respondent No.1: SRI GADI PRAVEEN KUMAR,
DY.SOL.GENERAL**

Counsel for the Respondent No.2&3: SRI J.VENKAT NARSIMHA REDDY

W.P.No.9495 OF 2020

Between:

Rajender Prasad Kapoor, S/o Veerender Prasad Kapoor Aged about 46 years, Occ. Assistant Superintendent, R/o H.No.20-2-621, Hussaini Alam, Baragalli, Hyderabad - 64

...PETITIONER

AND

1. The Union of India, Rep by its Director Central Hindi Directorate Ministry of Human Resources Development West Block VII Ramakrishnapuram New Delhi 110066
2. Hindi Prachar Sabha Hyderabad, Rep by its General Secretary, Sriram Hindi Bhavan, L.N Gupta Marg, Nampally Station Road, Hyderabad, T.S.
3. Hindi Prachar Sabha Hyderabad, Rep by J. Prem Kumar, Sriram Hindi Bhavan, L.N Gupta Marg, Nampally Station Road, Hyderabad, T.S.

(R- IS FORMAL PARTY)

...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 Writ, Order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents not allowing the Peittioner to discharge the lawful duties as Assistant Superintendent (Examination Department) in Hindi Prachar Sabha Hyderabad without following any due process of law is illegal, arbitrary, in violation of Articles 14, 21 & 300-A of Constitution of India, besides in violation of principles of natural justice and consequently direct the Respondents to allow the Petitioner to discharge his lawful duties (Examination Department) in Hindi Prachar Sabha Hyderabad.

IA NO: 3 OF 2020

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 copies of (1) Order dated 20/03/2019 passed in IA No. 1 of 2018 in CMA No. 748 of 2018, (2) Judgement dated 08/06/2020 passed in CMAS No. 748 of 2018, (3) Order dated 18/12/2019 passed in WP No. 15766 of 2019 (4) FIR No. 124/2018 dated 04/07/2018 (5) Police Complaint dated 02/12/2019 (6) Constitution of Hindi Prachar Sabha (Bye Laws) dated 19/02/1961 (7) GOMS No. 124 dated 22/07/1970 (8) GOMS No. 124 dated 13/10/2003, (9) Letter dated 14/07/2020 along with Translation (10) Letter dated 27/07/2020 with neat copy (11) Letter dated 10/08/2020 as additional material paper in W. P. No. 9495 of 2020 in the interest of justice.

IA NO: 1 OF 2020

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 allow the Petitioner to discharge his lawful duties (Examination Department) in Hindi Prachar Sabha Hyderabad and pay all the arrears to the Petitioner from the month of December 2019 till date, pending disposal of the above writ petition.

IA NO: 2 OF 2020

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 copy of Order dated 17-03-2020 passed in IA.No.112 of 2020 in SOP,No.61 of 2019 by the Honble XI Additional Chief Judge City Civil Court, Hyderabad as additional material paper in W.P.No.9495 of 2020, in the interest of justice.

Counsel for the Petitioner : SRI POODATTU AMARENDER

**Counsel for the Respondent No.1: SRI GADI PRAVEEN KUMAR,
DY.SOL.GENERAL**

Counsel for the Respondent No.2&3: SRI J.VENKAT NARSIMHA REDDY

W.P.No.3898 OF 2021

Between:

H. Anand Kumar, S/o H.Gyaneeshwar Rao (Late), Aged about 55 years, W/a Superintendent, Hindi Prachar Sabha, Hyderabad, R/o 3-1-54, Jamal basthi, Nimboli Adda, Kachiguda, Hyderabad.

...PETITIONER

AND

1. The Hindi Prachar Sabha, Hyderabad, rep., by its Pradhan Mantri/ General Secretary, Sri Ram Hindi Bhavan, LN Gupta Marg, Nampally station road, Hyderabad.
2. The Union of India, rep., by its Director, Central Hindi Directorate, Ministry of Human Resource Development, West Block VII, Ramakrishnapuram, New Delhi -110066.

...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 Certiorari to call for the records relating to the Impugned Lr.No.1091/2021

dt. 11/01/2021, issued by the 1st Respondent in terminating the services of the Petitioner, without issuing any notice, opportunity and without conducting any enquiry and set aside the same by declaring them as illegal, arbitrary, discriminatory and violative of Articles 14, 16 and 21 of the Constitution of India and consequently, direct the Respondents to Re-instate the Petitioner, into the duty forthwith, with all Service and Monetary benefits.

IA NO: 1 OF 2021

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 Re-instate the Petitioner into the duty, forthwith, by Suspending the operation of Impugned Orders issued by the 1st Respondent vide Lr.No.1097/2021 dt. 11/01/2021.

Counsel for the Petitioner : SRI D.RAMAKRISHNA

Counsel for the Respondent No.1 : J VENKATRAM NARSIMHA REDDY

**Counsel for the Respondent No.2 : SRI GADI PRAVEEN KUMAR,
DY.SOL.GENERAL**

W.P.No.3906 OF 2021

Between:

M. Gopal, S/o M. Lingaiah, Aged about 44 years, W/a Office Secretary, Hindi Prachar Sabha, Hyderabad, R/o 3-3-112/11/A, Srimalli Gardens, Rajendra nagar, RR District

...PETITIONER

AND

1. The Hindi Prachar Sabha, Hyderabad, rep., by its Pradhan Mantri/ General Secretary, Sri Ram Hindi Bhavan, LN Gupta Marg, Nampally station road, Hyderabad.
2. The Union of India, rep., by its Director, Central Hindi Directorate, Ministry of Human Resource Development, West Block VII, Ramakrishnapuram, New Delhi -110066.

...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 Certiorari to call for the records relating to the Impugned Lr.No.1096/2021 dt. 09.01.2021, issued by the 1st Respondent in terminating the services of the Petitioner, without issuing any notice, opportunity and without conducting any enquiry and set aside the same by declaring them as illegal, arbitrary, discriminatory and violative of Articles 14, 16 and 21 of the Constitution of India and consequently, direct the Respondents to Re-instate the Petitioner, into the duty forthwith, with all Service and Monetary benefits.

IA NO: 2 OF 2021

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 Re-instate the Petitioner into the duty, forthwith, by suspending the operation of Impugned Orders issued by the 1st Respondent vide Lr.No.1096/2021 dt. 09.01.2021.

IA NO: 1 OF 2021

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 permit the petitioner to file copy of the Impugned Order issued by the 1st Respondent vide Lr.No.1096/2021 dt. 09.01.2021, by dispensing with the copy of the Original Order.

Counsel for the Petitioner : Mr. D.RAMAKRISHNA

Counsel for the Petitioner : Mr. POODATTU AMARENDER

Counsel for the Respondent No.1 : J VENKATRAM NARSIMHA REDDY

**Counsel for the Respondent No.2 : SRI GADI PRAVEEN KUMAR,
DY.SOL.GENERAL**

The Court made the following: COMMON ORDER

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

**WRIT PETITION Nos.8821, 9492 and 9495 of 2020, 3898 and 3906
of 2021**

COMMON ORDER:

Since common issue is involved in all these writ petitions, they were taken up and heard together and are being disposed of by this common and consolidated order.

2. The petitioner in W.P.No.8821 of 2020 is seeking a writ of mandamus declaring the action of the respondents in passing the suspension order *vide* letter No.925/2019 dated 02.12.2019 without following due process as illegal, arbitrary and unconstitutional and in violation of principles of natural justice and consequently to set aside the suspension order and to pass such other order or orders. Thereafter, the petitioner filed W.P.No.3906 of 2021 seeking a Writ of Certiorari to call for the records relating to the impugned Lr. No.1096/2021, dated 09.01.2021 issued by respondent No.1 terminating the services of the petitioner without issuing any notice and without affording any opportunity and without conducting any enquiry as illegal, arbitrary,

discriminatory and unconstitutional and consequently to direct the respondents to reinstate the petitioner into the duty forthwith with all service and monetary benefits and to pass such other order or orders.

3. The petitioner in W.P.No.9492 of 2020 is seeking a Writ of Mandamus declaring the action of the respondents issuing suspension order vide letter No.965 of 2020 dated 04.01.2020 without following due process of law as illegal, arbitrary, unconstitutional and in violation of principles of natural justice and consequently to set aside the same and to pass such other order or orders. Thereafter, the petitioner filed W.P.No.3898 of 2021 seeking a Writ of Certiorari to call for the records relating to the impugned Lr. No.1097/2021, dated 11.01.2021 issued by respondent No.1 terminating the services of the petitioner without issuing any notice and affording any opportunity and without conducting any enquiry as illegal, arbitrary, discriminatory and unconstitutional and consequently to direct the respondents to reinstate the petitioner into the duty forthwith with all service and monetary benefits and to pass such other order or orders.

4. W.P.No.9495 of 2020 is filed seeking a Writ of Mandamus declaring the action of the respondents in not allowing the petitioner herein to discharge his lawful duties as Assistant Superintendent (Examination Department) in Hindi Prachar Sabha, Hyderabad, without following any due process of law as illegal, arbitrary, unconstitutional and in violation of principles of natural justice and consequently to direct the respondents to allow the petitioner to discharge his lawful duties as Assistant Superintendent (Examination Department) in Hindi Prachar Sabha, Hyderabad and to pass such other order or orders.

5. Brief facts leading to the filing of W.P.Nos.9492 of 2020 and 3898 of 2021 are that the petitioner was initially appointed as a temporary Clerk *vide* Lr.No.331/1984 dated 07.08.1984 in Hindi Prachar Sabha, Hyderabad and subsequently, in the year 1989, the petitioner has been appointed permanently *vide* Lr.No.311/89, dated 15.09.1989. Thereafter, the petitioner was promoted to the post of Registrar of Examinations on 28.06.2019 and later to the post of Office Superintendent. On 04.01.2021, the petitioner's services were suspended on the ground that there were allegations of financial irregularities against him and that the loss had occurred to the Sabha. Aggrieved by the same, the petitioner

filed W.P.No.9492 of 2020 and the same is pending consideration before this Court. Thereafter, the respondent No.1 issued letter dated 11.01.2021 terminating the services of the petitioner. Challenging the said termination order, dated 11.01.2021 without conducting any enquiry and without giving any opportunity to the petitioner, W.P.No.3898 of 2021 has been filed.

6. Brief facts leading to the filing of W.P.Nos.8821 of 2020 and 3906 of 2021 are that the petitioner herein was initially appointed as a temporary Attender *vide* Lr.No.9/1995 dated 25.04.1995 in Hindi Prachar Sabha, Hyderabad and subsequently, in the year 1989, the petitioner has been appointed permanently *vide* Lr.No.294/2000, dated 09.11.2000. Thereafter, the petitioner was promoted to the post of Clerk-II on 03.11.2007, to the post of Clerk Grade-I on 01.04.2012, to the post of Office Superintendent on 22.12.2016 and later to the post of Office Secretary on 15.06.2018. On 02.12.2019, the petitioner's services were suspended on the ground that the petitioner acted contrary to the interest of the society by filing court cases without any permission from the Sanchalan Samithi. Aggrieved by the same, the petitioner filed W.P.No.8821 of 2020 and the same is pending consideration before this

Court. Meanwhile, the respondent No.1 issued a letter dated 09.01.2021 terminating the services of the petitioner. Challenging the said termination order, dated 09.01.2021 without conducting any enquiry and without giving any opportunity to the petitioner, W.P.No.3906 of 2021 has been filed.

7. Brief facts leading to the filing of W.P.No.9495 of 2020 are that the petitioner herein was initially appointed as a temporary Clerk *vide* Lr.No.223/98 dated 10.12.1998 in Hindi Prachar Sabha, Hyderabad and thereafter appointed as II Grade Clerk *vide* Lr.No.340/2001 dated 03.01.2001. Subsequently, in the year 2004, the petitioner has been appointed as permanent II Grade Clerk *vide* Lr.No.747/2004, dated 20.05.2004. Thereafter, the petitioner was promoted to the post of Clerk Grade-I on 24.04.2013 and also to the post of Assistant Superintendent on 15.06.2018. On 29.09.2019, the petitioner was removed from service without issuing any notice and without conducting any enquiry. Aggrieved by the same, the petitioner filed W.P.No.6918 of 2019 before this Court and the same is pending consideration. Later on 15.04.2019, the respondents reinstated the petitioner into service, but the respondents

are not allowing the petitioner to discharge his duties and were also not paying salary without following due process of law. Challenging the said action of the respondents, W.P.No.9495 of 2020 is filed.

8. Learned counsel for the petitioners submitted that in similar circumstances in W.P.No.15799 of 2019 dated 18.12.2019, this Court had set aside the punishment order with liberty to the respondents to conclude the disciplinary proceedings initiated against the petitioner therein after conducting necessary enquiry and after giving an opportunity of hearing. In support of his contentions, the learned counsel for the petitioners has also placed reliance upon the following other judgments:

1. *Md.Ghouse v. Correspondent, Dakshina Bharat Hindi Pracharasabha*¹
2. *M. David Sam Roy v. The Hyderabad Public School Society & Others*²
3. *T.K. Chandran v. Dakshina Bharatha Hindi Prachar Sabha*³.

9. The respondents-Hindi Prachar Sabha, have filed a counter affidavit denying the allegations of the petitioners and stated that these

¹ 2002 Supp2 ALD 463

² 2012 1 ALD 360

³ 1999 0 AIR (Ker) 158

writ petitions are not maintainable as the respondent is not the 'state' within the meaning of Article 12 of the Constitution of India. Learned counsel for the respondents-Hindi Prachar Sabha, further submitted that the Union of India is not at all a necessary party, as it is in no way connected to the society. It is further submitted that the respondents-Hindi Prachar Sabha, have strictly adhered to the procedure of enquiry and also the principles of natural justice and that it has issued notices to the petitioners after suspension, but the petitioners did not participate in the enquiry and therefore, on the basis of the report of the Enquiry Officer holding the charges as proved, the services of the petitioners have been terminated. It is further submitted that there are two crimes pending against the petitioners in W.P.Nos.9492 of 2020, 3898 of 2021, 8821 of 2020 and 3906 of 2021 on the file of CCS, Abids Police Station. One of the crimes is Crime No. 124 of 2018 for misappropriation of funds and forgery. Learned counsel for the respondents-Hindi Prachar Sabha relied upon the judgment of Hon'ble Supreme Court in the case of *St. Mary's Education Society and another v. Rajendra Prasad Bhargava and others*⁴, in support of his contentions.

⁴ (2023) 4 SCC 498

10. The petitioner in W.P.Nos.9492 of 2020 and 3898 of 2021 has filed a reply affidavit in W.P.No.3898 of 2021, countering the averments made in the counter affidavit and submitted that this Court, in a number of cases, has entertained the writ petition against the respondents herein and therefore, these Writ Petitions are also maintainable as the respondents-Hindi Prachar Sabha is receiving grants from the Central Government. It is further submitted that the respondents-Hindi Prachar Sabha received recognition from the State and Central Government for conducting Hindi examinations. It is further submitted that alleged notices for enquiry were never issued to the petitioner and no enquiry was conducted and therefore, the contentions of the respondents-Hindi Prachar Sabha, that it has followed the principles of natural justice is not correct. As regards the criminal cases against the petitioner, it is submitted that there is no such case registered against the petitioner on the file of CCS, Abids Police Station. Thus, he prayed for setting aside of the impugned order,

11. The petitioner in W.P.Nos.8821 of 2020 and 3906 of 2021 has filed a reply affidavit stating that the petitioner has also been suspended

from service solely on the ground that the petitioner and others have participated in the election process and have filed suits before Civil Court, only in order to take revenge against the petitioner.

12. The Union of India-respondent No.2 filed instructions dated 01.10.2024 wherein it is stated that the Dakshina Bharat Hindi Prachar Sabha is a society functioning as a provincial branch, which is commonly referred to as the Central Sabha and further that the High Court of Kerala and High Court of Karnataka have held that the Prantheeya Sabha's in Kerala and Karnataka states discharge a public function relating to Article 351 of the Constitution of India and hence are amenable to the Writ jurisdiction.

13. Having regard to the rival contentions and the material on record, this Court finds that in the past, writ petitions have been filed against the respondents-Hindi Prachar Sabha and they have been entertained by this Court. Further, from the instructions received from the Union of India, the High Court of Kerala and the High Court of Karnataka have already held that the writ petitions against the Prantheeya Sabhas are amenable. In view of the same, this Court is also inclined to entertain these writ

petitions and objections of the respondents-Hindi Prachar Sabha, about the maintainability of these Writ Petitions are thus rejected.

14. As regards the merits of W.P.Nos.9492 of 2020 and 3898 of 2021, this Court finds that in their counter affidavits, the respondents-Hindi Prachar Sabha claim to have issued notices to the petitioners for attending before the enquiry, but the writ petitioner has not appeared before the Enquiry Officer. However, the copies of the same are not enclosed along with the counter affidavit. The petitioner has specifically denied the service of notice on the petitioner. Further, except for references to the suspension order dated 04.01.2020, the explanation of the petitioner dated 13.01.2020, and the sub-committee letter dated 19.02.2020 and the enquiry report of the Sub-Committee, there is no mention of any other document in the termination order. Therefore, it is in clear violation of the principles of natural justice and is liable to be set aside. The suspension order dated 04.01.2020 and the termination order dated 11.01.2021 issued by respondent No.1 are accordingly set aside. The respondents are directed to reinstate the petitioner into service with immediate effect and thereafter, proceed in accordance with law, if they choose to conduct enquiry and pass appropriate orders after giving

reasonable opportunity of hearing to the petitioner. The treatment of the period between the termination order and the order of reinstatement shall be considered by the respondents after a decision is taken with regard to the services of the petitioner in view of the disciplinary proceedings initiated against him. In the result, the W.P.Nos.9492 of 2020 and 3898 of 2021 are allowed.

15. Since the facts and circumstances in W.P.Nos.8821 of 2020 and 3906 of 2021 are also similar, this Court deems it fit and proper to set aside the suspension order dated 02.12.2019 and the termination order dated 09.01.2021 issued by respondent No.1 and to direct the respondents to reinstate the petitioner into service immediately with liberty to proceed against the petitioner by conducting the departmental enquiry in accordance with law i.e., after giving sufficient opportunity of hearing to the petitioner. Accordingly, the W.P.Nos.8821 of 2020 and 3906 of 2021 are allowed by setting aside the suspension order dated 02.12.2019 and the termination order dated 09.01.2021.

16. As regards W.P.No.9495 of 2020, this Court deems it fit and proper to direct the respondents to allow the petitioner to discharge his

lawful duties (Examination Department) in Hindi Prachar Sabha, Hyderabad. Accordingly, the W.P.No.9495 of 2020 is allowed.

17. In both of these petitions also, the treatment to be given to the period between suspension/termination and the reinstatement shall be decided by the respondents in accordance with law, after a decision is taken in the disciplinary proceedings initiated and are pending against them.

18. With the above directions, all the Writ Petitions are allowed. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall also stand dismissed.

SD/-P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Director, Central Hindi Directorate Ministry of Human Resources Development, Union of India, West Block VII Ramakrishnapuram New Delhi 110066
2. The General Secretary, Hindi Prachar Sabha Hyderabad, Sriram Hindi Bhavan, L.N Gupta Marg, Nampally Station Road, Hyderabad, T.S.
3. One CC to SRI M.A.K.MUKHEED, Advocate. [OPUC]
4. One CC to MR.D.RAMAKRISHNA Advocate [OPUC]
5. One CC to SRI GADI PRAVEEN KUMAR, (Deputy Solicitor General of India), High Court for the State of Telangana at Hyderabad. [OPUC]
6. One CC to SRI J.VENKATA NARASIMHA REDDY, Advocate. [OPUC]
7. Two CD Copies

BSK 8- One cc to SRI padma Anavender Advocate copy

BS 198

HIGH COURT

DATED:31/12/2024

CC TODAY



COMMON ORDER

**WP.Nos. 8821, 9492 and 9495 OF 2020,
3898 and 3906 of 2021**

**ALLOWING THE WRIT PETITIONS
WITHOUT COSTS**

10 copies
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21/12/25