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

WEDNESDAY, THE TWENTY FOURTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 39840 OF 2025

Between:

B.Durga Rao, S/o. B.Krishna, aged 57 years, Occ. Divisional Engineer (Electrical), TGSPDCL, Corporate Office, Electricity Command Control Centre, Mint Compound, Hyderabad, R/o. H.No.8-8-313/2, Green Park Colony, Road No.5, Saroornagar Mandal, Ranga Reddy District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Energy Department, Secretariat, Hyderabad.
2. The Chairman and Managing Director, Southern Power Distribution Company of Telangana Limited, Mint Compound, Hyderabad.
3. The Chief Engineer, (HRD and Trg.), Southern Power Distribution Company of Telangana Limited, Mint Compound, 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 a Writ, Order or Direction, more particularly one in the nature Writ of Mandamus or any other appropriate order declaring the action of the respondents in denial of promotion to the petitioner for the post of Superintending Engineer (Electrical) in TGSPDCL merely on pendency of ACB Case before the Principal Spl. Judge for SPE and ACB Cases, Hyderabad in C.C.No.107 of 2024, which is still in appearance stage in terms of orders issued in G.O.Ms.No.257, G.A. (Ser-C) Department dated 10.6.1999 and also G.O.Ms.No.529, G.A. (Services-C) Dept., dated 19.8.2008, as illegal arbitrary and erroneous and consequently direct the respondents herein to consider the claim of the petitioner for promotion to the post of Superintending Engineer (Electrical) in TGSPDCL without reference to the Criminal case in terms of orders issued in G.O.Ms.No.257, G.A. (Ser-C) Department dated 10.6.1999 and also G.O.Ms.No.529, G.A. (Services-C) Dept., dated 19.8.2008 which is adopted by

the respondents and the analogy of orders granted by this Hon'ble Court in W.P.No.32881 of 2025, in the interest of justice.

IA NO: 1 OF 2025

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 herein to consider the claim of the petitioner for promotion to the post of Superintending Engineer (Electrical) in TGSPDCL without reference to The C.C.No.107 of 2024 in terms of orders issued in G.O.Ms. No.257, G.A. (Ser-C) Department dated 10.6.1999 and also G.O.Ms. No.529, G.A. (Services-C) Department, dated 19.8.2008 which is adopted by the respondents and the analogy of orders granted by this Hon'ble Court in W.P.No.32881 of 2025, pending disposal of the above Writ Petition, in the interest of justice.

Counsel for the Petitioner: SRI G.ARUN KUMAR
Counsel for the Respondent No.1: GP FOR SERVICES-II
Counsel for the Respondent Nos.2 & 3: SRI N.SREEDHAR REDDY, SC FOR TGSPDCL

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HON'BLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION No.39840 OF 2025

THE TWENTY FOURTH DAY OF DECEMBER, TWO THOUSAND AND TWENTY FIVE

Between:

B.Durga Rao

... Petitioner

AND

The State of Telangana,
rep. by its Principal Secretary,
Energy Department,
Secretariat, Hyderabad and (2) others.

... Respondents

ORDER :

This Writ Petition is filed aggrieved by the action of the respondents in denying promotion to the petitioner for the post of Superintending Engineer (Electrical) as arbitrary and illegal.

2. Heard Sri G.Arun Kumar, learned counsel for the petitioner, learned Government Pleader for Services-II appearing for respondent No.1 and Sri N.Sreedhar Reddy, learned Standing Counsel appearing for respondent Nos.2 & 3. With their consent, this Writ Petition is taken up for disposal at the admission stage itself.

3. The learned counsel for the petitioner submits that the petitioner while working as Divisional Engineer (Operations), TGSPCL, Bhongir, a trap case was registered by the ACB authorities vide F.I.R.No.20/RCT-CR-2/2018 dated 8.8.2018 under Section 7(a) of the Prevention of Corruption Act, 1988. After filing of charge sheet, the matter was taken up by the learned Principal Sessions Judge, Nampally, Hyderabad vide C.C.No.107 of 2024, however, there is no progress in the criminal case. It is further submitted that in the final seniority list of Divisional Engineers (Electrical) as on 1.6.2014, the name of the petitioner was shown at Serial No.94 and 93 Divisional Engineers were already promoted and now the petitioner is placed at serial No.1, however, the respondents are not considering his case on the ground of pendency of criminal case though the petitioner is fully eligible and entitled for promotion to the post of Superintending Engineer (Electrical). Therefore, petitioner seeks indulgence of this Court to direct the respondents to consider his case for promotion to the post of Superintending Engineer in terms of G.O.Ms.No.257, General Administration (Ser.C) Department dated 10.6.1999, within a stipulated period of time.

4. The learned Standing Counsel appearing for the respondent Corporation submits that since criminal case is pending against the petitioner, petitioner is not eligible for promotion to the post of Superintending Engineer, however, his case will be considered in terms of G.O.Ms.No.257 dated 10.6.1999, as per law.

5. Having regard to the submissions made by the respective parties, the writ petition is disposed of, directing the respondents to consider the case of the petitioner for promotion to the post of Superintending Engineer (Electrical) in terms of G.O.Ms.No.257, General Administration (Ser.C) Department dated 10.6.1999, as per his seniority and eligibility, in accordance with law, as and when promotions takes place. Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

SD/-U. SUDHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Energy Department, Secretariat, Hyderabad, State of Telangana.
2. The Chairman and Managing Director, Southern Power Distribution Company of Telangana Limited, Mint Compound, Hyderabad.
3. The Chief Engineer, (HRD and Trg.), Southern Power Distribution Company of Telangana Limited, Mint Compound, Hyderabad
4. One CC to SRI G.ARUN KUMAR, Advocate [OPUC]
5. Two CCs to GP FOR SERVICES-II, High Court for the State of Telangana, at Hyderabad. [OUT]
6. One CC to SRI N.SREEDHAR REDDY, SC FOR TGSPDCL [OPUC]
7. Two CD Copies

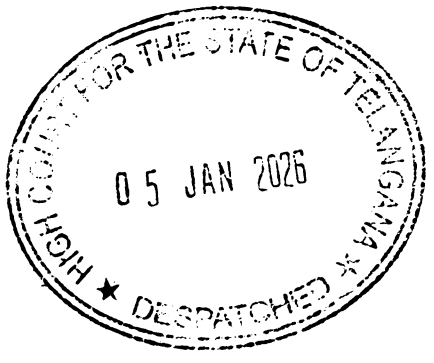
PSK.
GJP

HIGH COURT

DATED:24/12/2025

ORDER

WP.No.39840 of 2025



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

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ASU
5/1/26.