

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

WEDNESDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE SRI JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA**

WRIT PETITION NO: 3365 OF 2026

Between:

Vaila Deepak, (Employee Code: 2163799), S/o. Vaila Koteswar Rao, Aged 30 years, Occ: Office Subordinate, R/o. H.No.13-132, Raghavendra Nagar Colony, Behind SBI, Medchal, Medchal-Malkajgiri District, Telangana State.

...PETITIONER

AND

1. The Presiding Officer, Principal District and Session Court, Malkajgiri at Kushaiguda, Medchal-Malkajgiri District, Telangana State.
2. The Registrar (Recruitment), Telangana High Court, High Court Buildings Telangana. Telangana State
3. The Presiding Officer, I Addl. Junior Civil Judge cum VIII Addl. Metropolitan Magistrate Court Medchal, Medchal-Malkajgiri District, Telangana State.

...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 a direction, more particularly one in nature of Writ of Mandamus directing the 1st Respondent to consider the representations dated 05- 07-2024 and 30-12-2024 on humanitarian grounds and permit the petitioner to withdraw his resignation letter dated 01-04-2024 which was submitted in a confused mind seeing the deteriorating condition of the petitioner's mother's health as both duty towards the Court as well as duty towards the mother's health are important equally and permit the petitioner to work as Office Subordinate in the 3rd

Respondent Court which is still vacant on humanitarian grounds and consequently set aside the Proceedings dated 23-04-2024 issued by the 1st Respondent and also declaring the action of the 1st Respondent in not considering the petitioner's representations mentioned above as violative of Article 14, 19, 21 of the Constitution of India.

IA NO: 1 OF 2026

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 1st Respondent to consider the representations dated 05-07-2024 and 30-12-2024 on humanitarian grounds and permit the petitioner to withdraw his resignation letter dated 01-04-2024 which was submitted in a confused mind seeing the deteriorating condition of the petitioner's mother's health as both duty towards the Court as well as duty towards the mother's health are important equally and permit the petitioner to work as Office Subordinate in the 3rd Respondent Court which is still vacant on humanitarian grounds, pending disposal of the writ petition in the interest of equity of justice.

Counsel for the Petitioner: SRI G. RAVI KUMAR

Counsel for the Respondents: SRI VIVEK JAIN, STANDING COUNSEL

The Court made the following: ORDER

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

**THE HONOURABLE SRI JUSTICE P.SAM KOSHY
AND
THE HONOURABLE SRI JUSTICE NARSING RAO
NANDIKONDA**

Writ Petition No.3365 of 2026

Dated: 11.02.2026

Between:

Vaila Deepak

...Petitioner

AND

The Presiding Officer,
Principal District and Sessions Court,
Malkajgiri at Kushaiguda,
Medchal – Malkajgiri District,
Telangana State and others.

...Respondents

ORDER: *(per Hon'ble Sri Justice P.Sam Koshy)*

Heard Mr.G.Ravi Kumar, learned counsel for the petitioner and Mr.Vivek Jain, learned standing counsel appearing on behalf of the respondents. Perused the record.

2. The present is the writ petition seeking for appropriate direction to the respondents in considering the representation that the petitioner has made on 05.07.2024 and 30.12.2024 seeking the withdrawal of the earlier resignation letter that the petitioner has submitted, resigning from the post of Office Sub-Ordinate in the

District Court of Medchal – Malkajgiri District where he was appointed in the Court of First Additional Junior Civil Judge cum VIII Addl. Metropolitan Magistrate.

3. The relevant dates material for the disposal of the present writ petition is that petitioner was appointed in the Medchal – Malkajgiri District Court Establishment *vide* order of appointment dated 12.01.2024. The petitioner seems to have been given joining on 25.01.2024. Having put-in a couple of month's service, under certain compelling circumstances at the domestic front, the petitioner tendered his resignation on 01.04.2024 before the competent authority. The competent authority on due consideration of the resignation letter, accepted the resignation letter in a gap of more than three weeks on 23.04.2024 and the communication to that effect is also reflected to have been sent to the petitioner.

4. However, after approximately three months time on 05.07.2024, the petitioner realized that it was a wrong decision on his part tendering resignation and prayed for the withdrawal of the same before the competent authority. Since, there was no decision

taken on the said representation, he made another reminder on 30.12.2024 on which also since there was no decision taken, the petitioner has filed the present writ petition.

5. At this juncture, it would be pertinent to take note of the Rule Position as it stands. Rule 30 of Telangana State Sub-Ordinate Service Rules dealing with the aspect of resignation. The proviso given in the said Rules relevant so far as the present writ petition is concerned is reproduced herein:

“Provided further that a member of a service may withdraw his resignation before it takes effect:

Provided also that no withdrawal of resignation shall be permitted, if the withdrawal is made after the resignation takes effect.”

6. The present case raised by the petitioner in this factual backdrop and the Rule Position as it stands would not permit the petitioner to move an application for withdrawal beyond the date on which the application of resignation stood accepted.

7. Having considered the aforesaid factual matrix of the case and also considering the Rule Position as it reflects today, we are of the considered opinion that the relief sought for by the petitioner would be not sustainable. However, we make it clear that the acceptance of the previous resignation should not come in the way of the petitioner if he applies for fresh recruitment before the District Court Establishment or the respondents anywhere.

8. With the aforesaid observations, the writ petition stands rejected.

Consequently, miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/P.C. SULEKHA DEVI
ASSISTANT REGISTRAR

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SECTION OFFICER

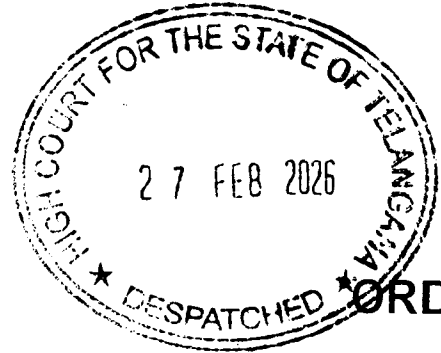
To

1. One CC to SRI G. RAVI KUMAR, Advocate [OPUC]
2. One CC to SRI VIVEK JAIN, Standing Counsel [OPUC]
3. Two CD Copies

MP
BS
Pmc.

HIGH COURT

DATED: 11/02/2026



WP.No.3365 of 2026

**REJECTING THE WRIT PETITION
WITHOUT COSTS**

(5) pmg.
26/2/26