

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD  
(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF JUNE  
TWO THOUSAND AND FOUR

PRESENT  
**THE HON'BLE MR JUSTICE S.ANANDA REDDY**

-  
**WRIT PETITION NO : 10976 of 2004**

Between:

D.Narasaiah, S/o.D.pullaiiah,  
A.P.Social Welfare Residential (IITLTCD) Junior College, New  
Nagole, Hyderabad-500035.

**..... PETITIONER**

AND

1. The Govt. of A.P.rep.by its Secty.,Social Welfare Dept., Secretariat,  
Hyderabad .
2. The A.P.Social Welfare Residential Institutions Society  
(Regd.No.2453/1986), rep.by its Secty.,58/RT,  
Potti Sri Ramulu Nagar, Hyderabad.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to pass an order or issue a writ, more particularly one in the nature of writ of Mandamus, declaring that the action of the respondents in not regularizing the services of the petitioner as illegal and consequential to direct the respondents to regularize the service of the petitioner, with all consequential benefits.

**Counsel for the Petitioner: MR.B.G.RAVINDRA REDDY**

**Counsel for the Respondent No.1: GP FOR SOCIAL WELFARE**

**Counsel for the Respondent No.2: ---**

**The Court at the admission stage made the following:**

**ORDER:**

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This writ petition is filed by the petitioner aggrieved by the inaction of the respondents in not regularizing the services of the petitioner though the services of similarly placed persons, who are even juniors to the petitioner, have already been regularized.

2. According to the petitioner, he was appointed as watchman on 01.01.1983 in the Social Welfare Hostel, under the control of the 1<sup>st</sup> respondent. While the petitioner was working under the 1<sup>st</sup> respondent, he was transferred to the 2<sup>nd</sup> respondent in the year 1986. Since then the petitioner has been continuing and working at A.P.Social Welfare Residential Hostel at IITLTCD Junior college, New Nagolre, Hyderabad. It is further stated that the petitioner along with four others filed W.P.No.18200/1995 seeking a direction to the respondents to regularize the services as Class IV employees in the 2<sup>nd</sup> respondent association. The writ petition was disposed of on 27.03.1996, wherein a direction was given to consider the claims of the petitioners in terms of G.O.Ms.No.212, Finance & Planning, dated 22.04.1994 within a period of six months from the date of receipt of a copy of the said order. In spite of the said order and receipt of copy of it, the 2<sup>nd</sup> respondent did not consider the claim of the petitioner for regularization. The further grievance of the petitioner is that though juniors of the petitioner, who are parties in the earlier writ petition, were regularized, but the case of the petitioner was not considered. Therefore, the petitioner has come up

with the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Government Pleader and considered the material on record.

4. In view of the fact that this court has already given a direction to consider the case of the petitioner in terms of G.O.Ms.No.212, dated 22.04.1994 within a period of six months from the date of receipt of the copy of the order in W.P.No.18200/1995. Further in pursuance of it, though some of the petitioners in the said writ petition were regularized, who were in fact juniors to the petitioner, but the petitioner's case was not considered, which is clearly illegal and discriminatory. Therefore, the 2<sup>nd</sup> respondent is directed to consider the case of the petitioner in terms of the orders of this court as referred to above, especially, in view of the fact that the juniors of the petitioner were already regularized. The said exercise may be completed within a period of six weeks from the date of receipt of a copy of this order.

5. The writ petition is, accordingly, disposed of. No costs.

NOTE:

Issue CC in one week.

B/o.

Dsr/Kvh

ASSISTANT

REGISTRAR

//TRUE COPY//

SECTION OFFICER

To:

1. The Secretary, Social Welfare Dept., Secretariat,  
Government of Andhra Pradesh, Secretariat, Hyderabad.
2. The A.P.Social Welfare Residential Institutions Society  
(Regd.No.2453/1986), 58/RT,  
Potti Sri Ramulu Nagar, Hyderabad.
3. Two CCs to the Government Pleader (SocialWelfare),  
High Court Buildings, Hyderabad (OUT)
4. Two CD copies.

