

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

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY

**PRESENT**

**THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT PETITION NO: 17051 OF 2020**

**Between:**

1. G Devalah, S/o. Chinnavenkaiah, Aged about 54 years, Occ: chain man, C/o.A.Malleshu,H.No.10-19/3, Indira Nagar Colony, Firzajiguda, Medchel District, Hyderabad
2. Reddy Malla Galaiah, S/o. Reddy Malla Kasaiah, Aged about 54 years, Occ Chain man, R/o. H.No.6-7-11/B, Shivajinagar, Nalgonda, Telangana-508001.
3. Kondrupurna Chndra Rao, S/o. Venkateshwar Rao, Aged about 54 years, Occ Chain man, R/o. H.No. 3-296/1/B/3, Srinagar Colony, Opp of Current Office, Kodada Mandal, Suryapet Dist

**...PETITIONERS**

**AND**

1. The State of Telangana, Rep by its Principal Secretary to Government Revenue (Services II) Department Telangana, Secretariat, Hyderabad.
2. The Chief Commissioner of land administration, and Chief Secretary(FAC), Telangana State, Hyderabad
3. The Assistant Director of Survey and Land records, Nalgonda-508001.
4. The District Collector, Chilkur Mandal, Garidepalli to Nereducherla Division, Suryapet District (Present), Old District, Nalgonda
5. The Revenue Divisional Officer, Miriyalaguda.
6. The Tahsildar, Nereducherla.

**...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 declare the action of the respondents as illegal, irregular in violation of Art 14 and 16 of the Constitution of India in not regularizing the petitioners services from date of completion of 5 years of services as on 25/11/1993 as per G.O.M.S.No.212 Finance and Planning (FW.PC.III) Department dt 22/4/1994 following the Uma Devis Judgment and also the Bench Judgments of the Honourable Supreme Court in Civil Appeal Nos 9413-9414 of 2019 dt 13/ 12/2019(State of Uttar Pradesh and others, ETC. Respondents) by issuing a Writ of Mandamus or any other Writ or direction or any other order or orders deems fit and proper in the interest of Justice and consequently direct the respondents to regularize the petitioners services and release their consequential benefits from the date of their completion of 5 years of their service i.e., for the first petitioner is entitled for consequential benefits from February 1994, and the second and third petitioners has to be paid from 1993.

**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 regularize the petitioners services forthwith considering their repeated representations following the Supreme Court Judgments of Uma Devis Judgment and also the Bench Judgements of the Hon'ble Supreme Court in Civil Appeal Nos 9413-9414 of 2019 dt 13/12/2019 (State of Uttar Pradesh and others, ETC. Respondents) as they have completed 5 years of services as on 25/11/1993 as per G.O.212 Finance and Planning (FW.PC.111) Department dt 22/4/1994 and consequently direct the respondents to release their consequential benefits for the first petitioner from February 1994 and the second and third petitioner from 1994 in the interest of justice.

**Counsel for the Petitioners: M/s. K. N. VIJAYA LAXMI**

**Counsel for the Respondents: GP FOR REVENUE**

**The Court made the following: ORDER**

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.17051 of 2020

ORDER

This Writ Petition is filed seeking the following relief:

to declare the action of the respondents as illegal, irregular in violation of Art 14 and 16 of the Constitution of India in not regularizing the petitioners services from date of completion of 5 years of services as on 25/11/1993 as per G.O.Ms.No.212 Finance and Planning (FW.PC.III) Department, dt 22/4/1994 following the Uma Devi's Judgment and also the Bench Judgments of the Honourable Supreme Court in Civil Appeal Nos 9413-9414 of 2019 dt 13/12/2019 (State of Uttar Pradesh and others ETC.Respondents) by issuing a Writ of Mandamus or any other Writ or direction or any other order or orders deems fit and proper in the interest of Justice and consequently direct the respondents to regularize the petitioners services and release their consequential benefits from the date of their completion of 5 years of their service i.e., for the first petitioner is entitled for consequential benefits from February 1994 and the second and third petitioners has to be paid from 1993."

Heard learned counsel on either side.

It is the case of the petitioners that they were appointed as Chainmen during 1987 and 1988 and they have completed 30 years of service without any break. Though they are entitled for regularization of their services in accordance with G.O.Ms.No.212 Finance and Planning (FW.PC.III) Department, dated 22.4.1994, and also the law laid down by

the Apex Court in *Secretary, State of Karnataka vs. Umadevi*<sup>1</sup>, the respondents are not considering their cases.

Learned counsel appearing for the petitioner contends that appropriate orders be passed in the writ petition by directing the respondents to consider the cases of the petitioners for regularization of their services.

Learned Government Pleader appearing for the respondents submits that the respondents would consider the cases of the petitioners and pass appropriate orders.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that this writ petition can be disposed of directing the 1<sup>st</sup> respondent to consider the proposals dated 30.05.2017 submitted by the 2<sup>nd</sup> respondent-Chief Commissioner of Land Administration and pass appropriate orders thereon, in accordance with law by duly taking into consideration the judgment of the Apex Court in *Secretary, State of Karnataka vs. Umadevi* (cited supra) and Civil Appeal Nos.9413-9414 of 2019, dated 13.12.2019 (*Rajinish Kumar Mishra v. State of Uttar Pradesh*), within a period of three months from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

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<sup>1</sup> 2006(4) SCC 1

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Miscellaneous petitions, pending, if any shall stand closed.

SD/-I.NAGALAKSHMI  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary to Government Revenue (Services II) Department, State of Telangana, Telangana, Secretariat, Hyderabad.
2. The Chief Commissioner of land administration, and Chief Secretary (FAC), Telangana State, Hyderabad
3. The Assistant Director of Survey and Land records, Nalgonda-508001.
4. The District Collector, Chilkur Mandal, Garidepalli to Nereducherla Division, Suryapet District (Present), Old District, Nalgonda
5. The Revenue Divisional Officer, Miriyalaguda.
6. The Tahsildar, Nereducherla.
7. One CC to M/s. K. N. Vijaya Laxmi, Advocate [OPUC]
8. Two CCs to GP for Revenue, High Court for the State of Telangana at Hyderabad. [OUT]
9. Two CD Copies

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*[Signature]*

HIGH COURT

DATED:30/09/2020



ORDER

WP.No.17051 of 2020

DISPOSING OF THE WP  
WITHOUT COSTS

11  
20/10/20  
JLV+