IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY ,THE THIRTY FIRST DAY OF AUGUST TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

CONTEMPT CASE NO: 111 OF 2023

Contempt of Case filed under Sections 10 to 12 of Contempt of Courts Act 1971, to punish the Respondents herein for willfully and deliberately disobeying flouting the orders of this Hon'ble Court dated 19-12-2022 in W.P.No. 45143 of 2022

Between:

G. Rayudu Durga Rao, S/o Pakeer Raju, Aged about 33 years, working as Agriculture Extension Officer (Grade-II.), R/o Naravarigudem, Aswaraopeta Mandal, Badadri-Kothagudem District. **...PETITIONER**

AND

1. M.Raghunanthan Rao, Commissioner of Agriculture, O/o Commissioner and Director of Agriculture, Department of Agriculture, Government of Telangana, Hyderabad.
2. Dr. M Venkata Ramana, Registrar, Professor Jayashankar Telangana State Agricultural University (PJTSAU) Rajendranagar, Hyderabad.

R-2 Impleaded as per Court order dt 13.07.2023 in IA no 1 of 2023 in CC no 111 of 2023. **... Respondent/ CONTEMNORS**

Counsel for the Petitioner SRI SAINATH representing Ms. K. KIRAN MAYEE

Counsel for the Respondent No. 1 : SRI M.V. RAMA RAO (SPL. GOVERNMENT PLEADER)

Counsel for the Respondent No. 2 : Sri S. CHALAPATHI RAO, SC

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE E.V.VENUGOPAL

CONTEMPT CASE No.111 OF 2023
In
WRIT PETITION No.45143 OF 2022

ORDER :

Initially this Contempt Case is filed under Sections 10 to 12 of Contempt of Courts Act, 1971 by the petitioner seeking to punish the respondent No.1 for his wilful and deliberate disobedience towards the orders of this Court dated 19.12.2022 in WP No.45143 of 2022. Subsequently, as per orders of this Court dated 13.07.2023 in IA No.1 of 2023 the 2nd respondent i.e. Registrar, Professor Jayashankar Telangana, State Agricultural University (PJTSAU), Rajendranagar, Hyderabad was impleaded.

2. Heard Sri Sainath, learned counsel representing Ms.K.Kiranmayee, learned counsel for the petitioner and Sri MV Rama Rao, learned Special Government Pleader representing 1st respondent's Department and Sri S.Chalapathi Rao, learned Standing Counsel for PJTSAU.

3. WP No.45143 of 2022 was filed by the petitioner seeking issuance of writ of Mandamus declaring the action of the Respondent No.2 in issuing Memo No.DI/490120/2022, dated

15.10.2022 in not taking District seniority as the criteria to determine the sponsorship of Agricultural Extension Officers for admission into B.Sc., (Ag.) as illegal, improper, unjust, arbitrary, in violation of Article 14 of the Constitution of India and contrary to the G.O.Rt.No.1112 (Agriculture and Cooperation (AGRI.II) Department), dated 27.09.2017 and consequently set aside the Memo No.D-I/490120/2022, dated 15.10.2022 issued by the Respondent No.2 and further direct the Respondent No.2 to consider the District seniority to determine the sponsorship of Agricultural Extension Officers for admission into B.Sc., (Ag.) as per the G.O.Rt.No.1112 Agriculture and Cooperation (AGRI.II) Department, dated 27.09.2017.

4. This Court, as per orders dated 19.12.2022 disposed of WP No.45143 of 2022 with the following direction :

"...respondents to prepare the seniority list and complete the exercise within (02) weeks from the date of receipt of a copy of this order strictly in compliance of G.O.Ms.No.1112 dated 27.'O9.2017 in view of the orders passed by this Court in W.P.No.33343 of 2O17 Batch and to sponsor the candidates, upon which the result impugned Memo.No.D-l/490120/2022, dated l5.10.2022 is suspended and accordingly the sponsored list is also kept under suspension"

5. The contention of the petitioner is that in pursuance of the above said orders, the petitioner made a representation, duly

enclosing the copy of the above said orders, to the 1st respondent and that inspite of receipt of the same, no response has been reciprocated and that the said inaction on the part of the respondents is deliberate disobedience towards the orders of this Court and hence, he filed the present contempt case. Respondent Nos.1 and 2 filed their respective counters contending that in pursuance of the orders of this Court in WP No.45143 of 2022 and also in WA No.193 of 2023 the University has decided to give admission during the academic year 2023-24 for the candidates who were sponsored during 2022-23 along with additional candidates under 'in-service' quota and by the time the revised list was received from the Commissioner of Agriculture, the 1st semester has already came to end and the final theory exams of the I years were also commenced. Further, contended that there is no deliberate or wilful disobedience towards the orders of this Court.

6. Learned senior counsel representing on behalf of petitioner concedes to the submission made by learned standing counsel for the 2nd respondent as well as the averments of counter affidavit filed on behalf of the 2nd respondent that the name of the

petitioner does appear at serial No.5 of the sponsored candidates list appended to Letter No.D-1/490120/2022 dated 02.05.2023 by the Commissioner of Agriculture, Government of Telangana, Hyderabad addressed to the 2nd respondent herein and since the classes for the first year were already commenced with effect from 21.12.2022 and 09.05.2023 for the I and II Semesters respectively for the academic year 2022-23. Therefore, in the above scenario, admission to the petitioner would be accorded only for the next academic year i.e. 2023-2024 as the implementation of the order of this Court which was confirmed by the Hon'ble Division Bench in WA No.193 of 2023, at this juncture, would ultimately result in change of the entire curriculum and the academic year will be effected and therefore, this proposal has been put forth by the University for having present and next academic years smoothly. Stating thus, he requested to close the contempt case.

7. This Court, upon recording the submissions made on either side and upon perusing the averments of the counter filed on behalf of 2nd respondent is inclined to close this contempt case as the University has decided to give admission to the petitioner during the academic year 2023-24 and communicated the said

information to the 2nd respondent through Letter No.D-1/490120/2022 dated 02.05.2023. In that view of the matter, this Court finds no wilful or deliberate disobedience on the part of the respondents towards the orders of this Court in WP No.45143 of 2022.

8. In the result, this contempt case is closed without costs.

Sd/- I. NAGA LAKSHMI,
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. K. KIRAN MAYEE, Advocate [OPUC]
2. TWO CC to SRI. M.V. RAMA RAO (SPL. GOVERNMENT PLEADER), High Court for the State of Telangana at Hyderabad. [OUT]
3. **Two CD Copies**

HIGH COURT

EVVJ

DATED:31/08/2023

ORDER

CC.No.111 of 2023
IN

W.P.NO. 45143 O F 2022

CLOSING THE CONTEMPT CASE

21/09/2023