

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

WEDNESDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NOs: 32051, 32296, 32511, 32512 and 32533 OF 2022

W.P.No.32051 of 2022

Between:

D.Kistaiah, S/o. Durgaiah, aged about 34 years, Artisan Grade-II, (I.D.No.5104651) (Under termination of service), Bujrampet Sub-Station Operator, O/o. the Assistant Divisional Engineer/Operation/Narsapur, Bujrampet (V), Kowdipally (M) Medak District.

...PETITIONER

AND

1. The Divisional Engineer (Electrical), Operation Division, Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Medak.
2. The Superintending Engineer, Operation Circle, Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Medak.
3. The Chief General Manager/HRD/TSSPDCL, (Southern Power Distribution Company of Telangana Ltd.,) Corporate Office, Mint Compound, Hyderabad.
4. The Chief General Manager/OP/Rural Zone, Mint Compound, TSSPDCL (Southern Power Distribution Company of Telangana Ltd.,). Hyderabad.
5. The Telangana State Southern Power Distribution Company Ltd, rep. by its Managing Director, Corporate Office, 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 in the nature of Mandamus or any other appropriate writ, order or direction, by calling for the records relating to the proceedings of the 1st respondent bearing Memo No. DEE/OP/MDK/JAO/ ADM./F.No/ D.No. 1370/20, dt. 27-03-2021 and set aside the same by declaring the same as illegal, arbitrary and unconstitutional being violative of Articles 14, 16, 21 and 311(2) of

Constitution of India apart from violative of well known principles of natural justice and consequently direct the respondents to reinstate the petitioner into service with all consequential benefits.

IA NO: 1 OF 2022

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 suspend the proceedings of the 1st respondent bearing Memo No. DEE/OP/MDK/JAO/ADM./F.No. /D.No.1370/20, dt. 27-03-2021 and direct reinstatement of the petitioner into service, forthwith.

W.P. NO: 32296 OF 2022

Between:

Kasa Srisailam, S/o. Chandraiah, aged about 35 years, Artisan Grade-II, (I.D.No.5108869) (Under termination of service), Sub-Station Operator, Sub-Station Nallavelli (V), Yacharam (M), Ranga Reddy District.

...PETITIONER

AND

1. The Divisional Engineer (Electrical), Operation Division, Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Ibrahimpatnam, Ranga Reddy District.
2. The Superintending Engineer, Operation Circle, Southern Power Distribution Company of Telangana Ltd.. (TSSPDCL), Saroomagar, Hyderabad.
3. The Chief General Manager/HRD/TSSPDCL (Southern Power Distribution Company of Telangana Ltd.), Corporate Office, Mint Compound. Hyderabad.
4. The Chief General Manager, TSSPDCL (Southern Power Distribution Company of Telangana Ltd.), OP/RR Zone/JNTU/KPHB (Kukatpally Housing Board), Hyderabad.
5. The Telangana State Southern Power Distribution Company Ltd., rep. by its Chairman and Managing Director, Corporate Office, 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 in the nature of Mandamus or any other appropriate writ, order or direction, by calling for the records relating to the proceedings of the 1st

respondent bearing Memo No. DEE/OP/IBP/JAO/SA/ ADM./Conti./ D.No.3276/20-21, dt. 01-02-2021 and set aside the same by declaring the same as illegal, arbitrary and unconstitutional being violative of Articles 14, 16, 21 and 311(2) of Constitution of India apart from violative of well known principles of natural justice and consequently direct the respondents to reinstate the petitioner into service with all consequential benefits.

IA NO: 1 OF 2022

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 suspend the proceedings of the 1st respondent bearing Memo No. DEE/OP/IBP/JAO/SA/ADM/Conti./ D.No. 3276/20-21, dt. 01-02-2021 and direct reinstatement of the petitioner into service, forthwith.

W.P. NO: 32511 OF 2022

Between:

R.Rama Prasad, S/o.R.Raghavaiah, aged about 43 years, Artisan Grade-II, (I.D.No.5104987) (Under termination of service), Dept. of Philphorage Energy/DE Medchal Circle, O/o.Divisional Engineer/DPE, Balajinagar, Kukatpally, Hyderabad.

...PETITIONER

AND

1. The Superintending Engineer, Operation Circle, Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Medchal, Gunrock, Secunderabad-15.
2. The Divisional Engineer (Dept. of Philphorage Energy), Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Medchal Circle, Balajinagar, Sub-Station Kukatpally, Hyderabad.
3. The Chief General Manager/ Operation Medchal Zone, Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Mint Compound, Hyderabad.....
4. The Telangana State Southern Power Distribution Company Ltd, rep. by its Chairman and Managing Director, Corporate Office, 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 in the nature of Mandamus or any other appropriate writ, order or direction, by calling for the records relating to the proceedings of the 1st respondent bearing Memo No. SE/OP/MDCL/PO/JAO/ ADM./DC/F.No.A4/ D.No.110/21-22, dt. 19-01-2022 and set aside the same by declaring the same as illegal, arbitrary and unconstitutional being violative of Articles 14, 16, 21 and 311(2) of Constitution of India apart from violative of well known principles of natural justice and consequently direct the respondents to reinstate the petitioner into service with all consequential benefits.

W.P.NO: 32512 OF 2022

Between:

M.Madhukar Reddy, S/o. M.Venkat Reddy, aged about 42 years, Artisan Grade-I, (I.D.No.5109626) (Under termination of service), Sub-Station Operator, O/o. the Superintending Engineer, Husbiguda (Lines), Sub-Station Operator, Cherlapalli-III, Ranga Reddy District.

...PETITIONER

AND

1. The Superintending Engineer, Operation Circle, RR East Circle, Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Husbiguda, Hyderabad.
2. The Divisional Engineer (Lines), Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Husbiguda, Near NGRI, Hyderabad.
3. The Chief General Manager/HRD/TSSPDCL, (Southern Power Distribution Company of Telangana Ltd.,) Corporate Office, Mint Compound, Hyderabad.
4. The Chief General Manager/OP/Medchal Zone, TSSPDCL (Southern Power Distribution Company of Telangana Ltd.,), Mint Compound, Hyderabad.
5. The Telangana State Southern Power Distribution Company Ltd., rep. by its Chairman and Managing Director, Corporate Office, 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 in the nature of Mandamus or any other appropriate writ, order or direction, by calling for the records relating to the proceedings of the 1st respondent bearing Memo No. SE/OP/HBG/DE(T)/PO/ JAO/Adm/F.63/ D.No.339/2020, dt. 06/02/2021 and set aside the same by declaring the same as

illegal, arbitrary and unconstitutional being violative of Articles 14, 16, 21 and 311(2) of Constitution of India apart from violative of well known principles of natural justice and consequently direct the respondents to reinstate the petitioner into service with all consequential benefits.

IA NO: 1 OF 2022

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 suspend the proceedings of the 1st respondent bearing Memo No. SE/OP/HBG/DE(T)/PO/ JAO/Adm/F.63/D.No.339/2020, dt. 06-02-2021 and direct reinstatement of the petitioner into service, forthwith.

W.P.NO: 32533 OF 2022

Between:

M.Santosh, S/o. Murali, aged about 38 years, Artisan Grade-II, (I.D.No.5109760) (Under termination of service), CRPF Sub-Station SS Operator, Hakimpet (V), Shameerpet (M), Ranga Reddy District.

...PETITIONER

AND

1. The Superintending Engineer, Operation Circle, RR East Circle, Southern Power Distribution Company of Telangana.Ltd., (TSSPDCL), Husbiguda, Hyderabad
2. The Divisional Engineer (Lines), Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Husbiguda, Near NGRI, Hyderabad.
3. The Chief General Manager, /HRD/TSSPDCL (Southern Power Distribution Company of Telangana Ltd.,) Corporate Office, Mint Compound, Hyderabad.
4. The Chief General Manager, OP/Medchal Zone, TSSPDCL (Southern Power Distribution Company of Telangana Ltd.,), Mint Compound, Hyderabad.
5. The Telangana State Southern Power Distribution Company Ltd, rep. by its Chairman and Managing Director, Corporate Office, 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 in the nature of Mandamus or any other appropriate writ, order or

direction, by calling for the records relating to the proceedings of the 1st respondent bearing Memo No. SE/OP/HBG/DE(T)/P0/ JAO/Adm/F.63/D.No.341/2020, dt. 06-02-2021 and set aside the same by declaring the same as illegal, arbitrary and unconstitutional being violative of Articles 14, 16, 21 and 311(2) of Constitution of India apart from violative of well known principles of natural justice and consequently direct the respondents to reinstate the petitioner into service with all consequential benefits.

IA NO: 1 OF 2022

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 suspend the proceedings of the 1st respondent bearing Memo No. SE/OP/HBG/DE(T)/P0/ JAO/Adm/F.63/D.No.341/2020, dt. 06-02-2021 and direct reinstatement of the petitioner into service, forthwith.

Counsel for the Petitioner in W.Ps : SRI S.GOPAL RAO

**Counsel for Respondents in W.Ps: SRI G.VIDYA SAGAR, Sr.COUNSEL,
rep., SMT.K.UDAYA SRI, SC FOR TSSPDCL**

The Court made the following: COMMON ORDER

THE HON'BLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION Nos.32051, 32296, 32511, 32512
and 32533 of 2022

COMMON ORDER:

Since the issue raised in all these writ petitions is one and the same, they are taken up for hearing together and being disposed of by this common order.

2. Heard Sri S.Gopal Rao, learned counsel appearing on behalf of the petitioners; Sri G.Vidya Sagar, learned Senior Counsel representing, Smt.K.Udaya Sri, learned Standing Counsel for TSSPDCL appearing on behalf of respondents No.1 to 5.

3. Learned counsel for the petitioners submits that the petitioners were initially appointed on contract basis in the respondents - Company and continued till they were absorbed as Artisan, Grade-II w.e.f. 29.07.2017, 29.07.2017, 31.08.2017, 29.07.2017 and 29.07.2017 respectively. It is further submitted that unfortunately, respondent No.1 has issued impugned proceedings, dated 27.03.2021, 01.02.2021, 19.01.2022, 06.02.2021 and 06.02.2021 respectively,

terminating the petitioners from the service alleging that the ITI certificate submitted by the petitioners is not genuine. The action of respondent No.1 in issuing the said termination orders to the petitioners without issuing any prior notice and without putting the petitioner on notice is arbitrary and illegal. Therefore, learned counsel prayed this Court to permit the petitioners to make a representation to respondent No.1 redressing their grievance and direct the respondents to consider the same in terms of SLP (Civil) Dairy No(s).48603 of 2023, dated 08.01.2024. Learned counsel further prayed this Court to direct respondent No.1 to pass appropriate orders thereon.

4. Learned Senior Counsel appearing on behalf of respondents submitted that respondents will consider the representation of the petitioners and pass appropriate orders in accordance with law.

5. In view of the submission made by the learned counsel for the respective parties, without expressing any opinion on merits, these Writ Petitions are disposed of with a direction to the petitioners to submit a representation before the

respondents within a period of two (2) weeks from today. Upon receipt of such representation, the respondents are directed to consider the same and pass appropriate orders, in light of the decision of the Hon'ble Supreme Court in SLP (Civil) Dairy No(s).48603 of 2023, dated 08.01.2024 and in accordance with law, within a period of four (04) weeks thereon and communicate a copy thereof to the petitioners. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

SD/-A.V.S. PRASAD
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Divisional Engineer (Electrical), Operation Division, Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Medak.
2. The Superintending Engineer, Operation Circle, Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Medak.
3. The Chief General Manager/HRD/TSSPDCL, (Southern Power Distribution Company of Telangana Ltd.,) Corporate Office, Mint Compound, Hyderabad.
4. The Chief General Manager/OP/Rural Zone, Mint Compound, TSSPDCL (Southern Power Distribution Company of Telangana Ltd.,). Hyderabad.
5. The Superintending Engineer, Operation Circle, Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Saroomagar, Hyderabad.
6. The Chief General Manager/HRD/TSSPDCL (Southern Power Distribution Company of Telangana Ltd.,), Corporate Office, Mint Compound, Hyderabad.
7. The Chief General Manager, TSSPDCL (Southern Power Distribution Company of Telangana Ltd.,), OP/RR Zone/JNTU/KPHB (Kukatpally Housing Board), Hyderabad.
8. The Superintending Engineer, Operation Circle, Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Medchal, Gunrock, Secunderabad-15.
9. The Divisional Engineer (Dept. of Philphorage Energy), Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Medchal Circle, Balajinagar, Sub-Station Kukatpally, Hyderabad.

10. The Chief General Manager/ Operation Medchal Zone, Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Mint Compound, Hyderabad.
11. The Superintending Engineer, Operation Circle, RR East Circle, Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Husbiguda, Hyderabad.
12. The Divisional Engineer (Lines), Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Husbiguda, Near NGRI, Hyderabad.
13. The Chief General Manager/HRD/TSSPDCL, (Southern Power Distribution Company of Telangana Ltd.,) Corporate Office, Mint Compound, Hyderabad.
14. The Superintending Engineer, Operation Circle, RR East Circle, Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Husbiguda, Hyderabad.
15. The Divisional Engineer (Lines), Southern Power Distribution Company of Telangana Ltd., (TSSPDCL), Husbiguda, Near NGRI, Hyderabad.
16. The Chief General Manager, /HRD/TSSPDCL (Southern Power Distribution Company of Telangana Ltd.,) Corporate Office, Mint Compound, Hyderabad.
17. The Chief General Manager, OP/Medchal Zone, TSSPDCL (Southern Power Distribution Company of Telangana Ltd.,), Mint Compound, Hyderabad.
18. One CC to SRI S.GOPAL RAO, Advocate. [OPUC]
19. One CC to SMT.K.UDAYA SRI, SC FOR TSSPDCL. [OPUC]
20. Two CD Copies.

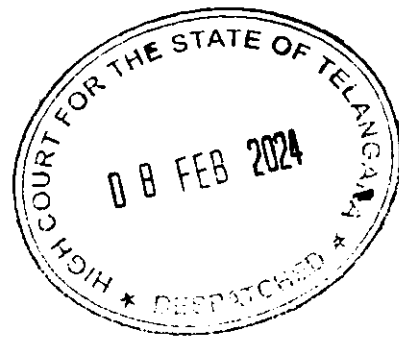
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HIGH COURT

DATED:31/01/2024



COMMON ORDER

**WP.Nos.32051, 32296, 32511,
32512 and 32533 of 2022**

**DISPOSING OF THE WRIT PETITIONS
WITHOUT COSTS**

(22)
MA
8/2/24