

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
MONDAY, THE TWENTY NINTH DAY OF AUGUST TWO THOUSAND AND
TWENTY TWO

:PRESENT:

THE HONOURABLE SMT JUSTICE P.MADHAVI DEVI
WRIT PETITION NO: 33976 OF 2022

Between:

1. N. Suguna, W/o. Venkataratnam, Aged about 40 years, Occ Junior Assistant-cum-Computer Operator, Working at Prohibition Excise Department at Khammam, R/ o. Pallagudem Village, Khammam Rural, Khammam District.
2. B. Vijaya Raju, S/o. Venkata Ramulu, Aged about 36 years, Occ Junior Assistant-cum-Computer Operator, Working at Prohibition Excise Department at Khammam, R/o. Gollegudem Village, Khammam Urban, Khammam District.
3. G. Nageswar Rao, S/o. Ramulu, Aged about 41 years, Occ Junior Assistant-cum-Computer Operator, Working at Prohibition Excise Department at Khammam, R/o. Ambedkar Nagar, Ayyagaripeta, Sathupalli Village and Mandal, Khammam District.
4. B. Nagendra, W/o. Venkataramaiah, Aged about 37 years, Occ Junior Assistant-cum-Computer Operator, Working at Prohibition Excise Department at Bhadadri Kothagudem R/o. Bayyannagudem Village, Penubally Mandal, Khammam District.
5. T. Rathnamala, W/o. Madhu Babu, Aged about 38 years, Occ Junior Assistant-cum-Computer Operator, Working at Prohibition Excise Department at Bhadadri Kothagudem, R/o. Mamillagudem, Khammam Town and District.
6. K. Teja Praveen Kumar, S/o. K. Veeraiah, Aged about 28 years, Occ Junior Assistant-cum-Computer Operator, Working at Prohibition Excise Department at Bhadadri Kothagudem, R/o. Ambedkar Colony Village, Burgampad Mandal, Bhadadri Kothagudem District.
7. K. Shiva Prasad, S/ o. Satyanarayana Aged about 29 years, Occ Junior Assistant-cum-Computer Operator, Working at Prohibition Excise Department at Khammam, R/ o.Singareddypalem Village, Nelakondapalli Mandal, Khammam District.

Petitioners

AND

1. State of Telangana, Rep. by its Principal Secretary, Prohibition and Excise Department, Secretariat, Hyderabad.
2. The Commissioner, Prohibition and Excise Department, Telangana State, Hyderabad.
3. The Asst. Commissioner of Prohibition and Excise (Enforcement) Department, Khammam District.
4. The Asst. Commissioner of Prohibition and Excise (Enforcement) Department, Bhadadri Kothagudem District.
5. The Superintendent, Prohibition and Excise Department, Khammam District, Telangana State.

6. The Superintendent, Prohibition and Excise Department, Bhadadri Kothagudem District.
7. M/s. Suraksha Security Services, Rep. by its Manager, Administration Office 6-3-639, Flat No.105, 1st Floor, Golden Edifice, Khairtabad Circle, Hyderabad .- 500004, Telangana State.

Respondents

WHEREAS the Petitioners above named through their Advocate SRI PRABHAKAR CHIKKUDU presented this 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 Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in non-regularization of the services of the petitioners as Junior Assistant-cum-Computer Operator, who are working as Junior Assistant-cum-Computer Operator since 2013 to till today, as illegal, ex-facie, arbitrary, discriminatory, unjust, unfair, unreasonable, whimsical, irrational, unlawful, unconstitutional, inequity and in violative of the Provisions of the Andhra Pradesh Excise Act, 1968 as amended from time to time and in violative of Article 14, 16 and 21 of the Constitution of India and also against to the Principles of Natural justice and consequently direct the 1st respondent to regularize the service of the petitioners as Junior Assistant-cum-Computer Operator with consequential benefits;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri PRABHAKAR CHIKKUDU Advocate for the Petitioner and GP for Services III, who takes notice on behalf of respondents 1 to 6 and waives further notice, directed issue of notice to the Respondent 7 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

The Manager, M/s. Suraksha Security Services, Administration Office 6-3-639, Flat No.105, 1st Floor, Golden Edifice, Khairtabad Circle, Hyderabad .- 500004, Telangana State.

are directed to show cause on or before 26/09/2022 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

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 direct the respondents to pay the salaries to the petitioners equal work to equal pay in view of the judgment of an Apex Court in the case of State of Punjab and Others Vs. Jagjit Singh and Others, which is landmark Judgment reported in 2017 (1) SCC 148, pending disposal of the WP No. 33976 of 2022, on the file of the High Court.

IA NO: 2 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 direct the respondents to continue the services of the petitioners till regularization of their services as Junior Assistant-cum-Computer Operator in the respondents department, pending disposal of the WP No. 33976 of 2022, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Issue notice to respondent No.7.

Learned Government Pleader for Services-III, takes notice on behalf of respondents No.1 to 6 and waives further notice and seeks time to file counter.

Registry is directed not to take out notice to respondents No.1 to 6 in view of this waiver.

Learned counsel for the petitioner is permitted to take out personal notice on respondent No.7 by RPAD and file proof of service.

List on 26.09.2022.

In the meantime, the respondents are directed to continue the services of the petitioner, if the petitioner is in service as on today and the contract between the respondents and outsourcing agency i.e., respondent No.7 is in subsistence.

//TRUE COPY//

**SD/- K.VENKAIAH
ASSISTANT REGISTRAR**


SECTION OFFICER

To,

1. The Principal Secretary, Prohibition and Excise Department, State of Telangana Secretariat, Hyderabad.
2. The Commissioner, Prohibition and Excise Department, Telangana State, Hyderabad.
3. The Asst. Commissioner of Prohibition and Excise (Enforcement) Department, Khammam District.
4. The Asst. Commissioner of Prohibition and Excise (Enforcement) Department, Bhadadri Kothagudem District.
5. The Superintendent, Prohibition and Excise Department, Khammam District, Telangana State.

6. The Superintendent, Prohibition and Excise Department, Bhadadri Kothagudem District. (1 to 6 by RPAD)
7. The Manager, M/s. Suraksha Security Services, Administration Office 6-3-639, Flat No.105, 1st Floor, Golden Edifice, Khairatabad Circle, Hyderabad .- 500004, Telangana State. (by RPAD along with a copy of petition and affidavit)
8. One CC to SRI. PRABHAKAR CHIKKUDU Advocate [OPUC]
9. Two CCs to GP FOR Services – III, High Court at Hyderabad. [OUT]
10. One spare copy

HIGH COURT

PMDJ

DATED:29/08/2022

POST ON 26-09-2022

ORDER

WP.No.33976 of 2022

DIRECTION

