

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

MONDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION NO: 7451 OF 2022

Between:

B.Ramadevi, W/o.Janaiah, Age 53 years Working as Sweeper, Pottisreeramulu
Telugu University, Nampally, Hyderabad

...PETITIONER

AND

1. The Pottisreeramulu Telugu University, Rep. by its Registrar, Nampally, Hyderabad
2. The State of Telangana, rep. by its Principal Secretary to Govt. Higher Education Department, T.S. Secretariat, Hyderabad.
3. The State of Telangana, rep. by its Principal Secretary to Govt. Finance (HRM-1) Department, T.S. Secretariat, 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, Order or direction more in the nature of Mandamus declaring the orders passed by the 3rd respondent in Proc.No.PSTU /II/ Exam.Cell / Voch.Payment / 2012 dt.28.1.2022 in changing the status of appointment of the petitioner from daily wage / consolidate pay to that of contract / outsourcing engaged through society constituted under Cooperative Societies Act following G.O.Rt.No. HRM Dept dt.19.2.2016 and G.O.Ms.No.63 Finance (HRM.VII) Dept dt.15.6.2021 as illegal, arbitrary and is in violation of Article 14, 16 and 21 of the Constitution of India and consequently declare that the petitioner's services cannot be treated as contract / outsourcing employee and services are to be treated only on daily wage / consolidated one in the interests.

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 issue Interim Direction suspending the operation of the orders passed by the 3rd respondent in the 3rd respondent in Proc.No.PSTU /II/ EXAm.Cell / Voch.Payment /

2012 dt.28.1.2022 so far as the petitioner is concerned and continue the petitioner as
Daily Wage / Consolidated employee pending disposal of the Writ Petition.

Counsel for the Petitioner: SRI P. V. RAMANA

Counsel for the Respondent No. 1: SRI K. RAM MURTHY, SC FOR UNIVERSITY

Counsel for the Respondent No. 2: GP FOR EDUCATION

Counsel for the Respondent No. 3: GP FOR SERVICES - I

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE T. VINOD KUMAR

Writ Petition No.7451 of 2022

ORDER:

Heard learned counsel for the petitioner, Sri K.Ram Murthy, learned Standing counsel appearing for 1st respondent-University, learned Government Pleader for Education appearing for 2nd respondent and learned Government Pleader for Services-I appearing for 3rd respondent, and perused the record. With their consent, the matter is taken up for hearing and disposal at the admission stage.

2. This Writ Petition has been filed challenging the Proceedings No.PSTU/II/Exam.Cell/Voch.Payment/2012, dt.28.01.2022 issued by the 3rd respondent in changing the status of payment of the petitioner from daily wage/consolidate pay to that of contract/outsourcing engaged through society.

3. Petitioner contends that she was initially appointed as a Sweeper on a consolidated pay of Rs.200/- in the year 1998 and continued as a daily wage employee with the 1st respondent; that the 3rd respondent also passed order dt.30.11.2007 enhancing the consolidated amount to Rs.5,580/- treating the petitioner as person working on daily wage basis along with others; and while that being so, the respondents all of a sudden and unilaterally by the impugned proceedings sought to change the status of payment of the petitioner from daily wage/consolidate pay to that of contract/outsourcing engaged through society.

4. On 11.02.2022, learned Standing Counsel appearing for 1st respondent-University, on being queried by this Court as to the

basis for the impugned proceedings passed by the 3rd respondent changing the status, sought time to get instructions in the matter.

5. Today, when the matter is taken up, learned Standing Counsel appearing for 1st respondent has placed before this Court the Amendment Orders No.PSTU/LEGAL/WP/HHC/BRD dt.12.02.2022, issued by the 1st respondent, whereby it is stated as under:

"The petitioner (Smt B.Rama Devi, Sweeper) has filed Writ Petition in Honorable High Court, Jurisdiction of Telangana Hyderabad stating that the petitioner name was sponsored to the Outsourcing Units instead of keeping her Consolidated Category for payment of Salary. Further the change is occurred without her consent. So, now her claim is rectified and taken into consideration, dropped her name from Outsourcing list and continued her, in the earlier position of consolidated basis, thus no change has been taken place. This is for your kind information to the Hon'ble High Court of Telangana, Hyderabad".

6. The said Amendment Order dt.12.02.2022 issued by the 1st respondent, is placed on record.

7. Having regard to the amendment order issued by the 1st respondent, the grievance of the petitioner in the present writ petition stands redressed and no further orders are required to be passed by this Court in this Writ Petition.

8. Accordingly, this Writ Petition is closed. No order as to costs.

9. Consequently, miscellaneous petitions, if any pending, shall stand closed.

**SDI-T.KRISHNA KUMAR
ASSISTANT REGISTRAR**

SECTION OFFICER

//TRUE COPY//

- To,
1. The Registrar, Pottisreeramulu Telugu University, Nampally, Hyderabad
 2. The Principal Secretary to Govt. Higher Education Department, State of Telangana, T.S. Secretariat, Hyderabad.

3. The Principal Secretary to Govt. Finance (HRM-1) Department, State of Telangana, T.S. Secretariat, Hyderabad.
4. One CC to SRI P. V. RAMANA Advocate [OPUC]
5. One CC to SRI K. RAM MURTHY, SC FOR UNIVERSITY Advocate [OPUC]
6. Two CCs to GP FOR EDUCATION, High Court for the State of Telangana at Hyderabad. [OUT]
7. Two CCs to GP FOR SERVICES - I, High Court for the State of Telangana at Hyderabad. [OUT]
8. Two CD Copies.
9. One spare copy.

NPJ



SW

HIGH COURT

DATED:14/02/2022

ORDER

WP.No.7451 of 2022



**DISPOSING OF THE WRIT PETITION
AT ADMISSION STAGE WITHOUT COSTS.**