

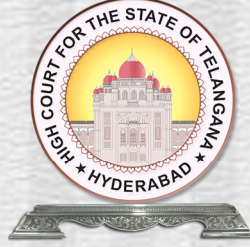
**HIGH COURT FOR THE STATE OF TELANGANA**

# e-Newsletter

**Volume V – Issue 2**

(April 2023 – June 2023)





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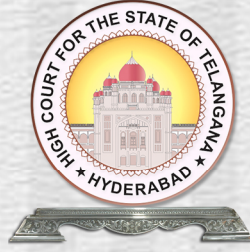
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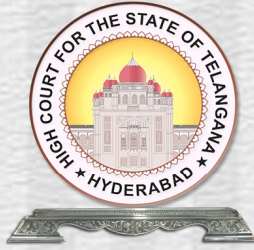


## *FOREWORD*

During the second quarter, the State Judiciary has witnessed farewells to four Hon'ble Judges of the High Court for the State of Telangana, among these his Lordship Honourable Sri Justice A. Abhishek Reddy has been transferred as Judge of Patna High Court; Honourable Dr. Justice Devaraju Nagarjun, has been transferred as Judge of Madras High Court, Honourable Sri Justice A. Venkateshwara Reddy and Honourable Sri Justice Anugu Santhosh Reddy, have laid down their office on attaining the age of superannuation.

The State Judiciary has also witnessed a mega recruitment spree during this quarter by giving notification to various categories of posts in both High Court and District Judiciary.

*Hon'ble Smt. Justice Maturi Girija Priyadarsini*



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**HON'BLE JUDGES OF THE HIGH COURT**

**HON'BLE THE CHIEF  
JUSTICE**



**Hon'ble Sri Justice  
Ujjal Bhuyan**



**Hon'ble Sri Justice  
Ponugoti Naveen Rao**



**Hon'ble Sri Justice  
Abhinand Kumar Shavili**



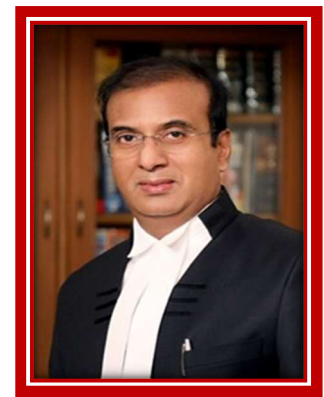
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Venkat**



**Hon'ble Smt. Justice  
Gunnu Anupama  
Chakravarthy**



**Hon'ble Smt. Justice  
Maturi Girija Priyadarsini**



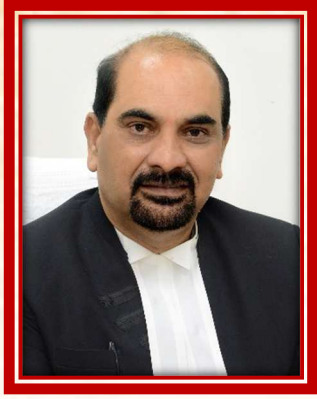
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**Hon'ble Sri Justice  
Anugu Santhosh Reddy**



**Hon'ble Dr. Justice  
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**Hon'ble Sri Justice  
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## EVENTS OF THE HIGH COURT

**Celebrating the Telangana State formation day i.e. on 02-06-2023**



The High Court for the State of Telangana celebrated Telangana State formation day i.e. on 02-06-2023 and the Hon'ble Sri Justice P. Naveen Rao, Judge, High Court for the State of Telangana hoisted the National Flag on this occasion.



The Hon'ble Sri Justice P. Naveen Rao, Judge, High Court for the State of Telangana receiving the Guard of Honor on the said occasion.





Fusion Dance



Perini Naatyam

The High Court for the State of Telangana organized various cultural events on the occasion of Telangana State formation day



## Farewell to the Hon'ble Judges of the High Court for the State of Telangana



On 04-04-2023 the High Court for the State of Telangana bid farewell to the Hon'ble Dr. Justice Devaraju Nagarjun, as his Lordship transferred as Judge of Madras High Court



The High Court for the State of Telangana bid farewell to the Hon'ble Sri Justice A. Venkateshwara Reddy, on the eve of his Lordship's retirement on 14-04-2023.





On 12-05-2023, the High Court for the State of Telangana bid farewell to the Honourable Sri Justice A. Abhishek Reddy, as his Lordship transferred as Judge of Patna High Court.



The High Court for the State of Telangana bid farewell to the Hon'ble Sri Justice Anugu Santhosh Reddy, on the eve of his Lordship's retirement on 20-06-2023.





## SOME OF THE IMPORTANT JUDGMENTS DELIVERED BY THE HON'BLE JUDGES OF THIS HIGH COURT

### HON'BLE THE CHIEF JUSTICE

**Acts/Rules:** Constitution of India & G.O.Ms.No.12 dated 26.11.2014.

**Case Details:** Nomula Poultry Farm Vs The State of Telangana, Rep. by its Principal Secretary, Women Development and Child Welfare Department, Secretariat Buildings, Secretariat, Hyderabad & 2 others in WRIT APPEAL No.185 of 2023. ([Click here for full Judgment](#))

**Date of Judgment:** 28.04.2023.

**Facts:** This appeal is directed against the judgment and order dated 31.01.2023 passed by the learned Single Judge dismissing Writ Petition No.43886 of 2022 and two other writ petitions.

Appellants as the petitioners had filed the related writ petition being W.P.No.43886 of 2022 assailing the tender reference No.3347/SNP/2022 dated 21.11.2022 floated by the 2nd respondent and sought for quashing of the same. Appellants further sought for a direction to respondent Nos.1 and 2 to revert back to the earlier procedure of inviting tender on Integrated Child Development Scheme (ICDS) project wise basis.

**Held:** Insofar the decision of the Supreme Court in Vaishnorani Mahila Bachat Gat v. State of Maharashtra ((2019) 3 S.C.R. 485) is concerned, we find that the appeal concerned tenders for multi-level contracts and for supply of ready to cook food to Anganwadi centres. Question raised in the appeal was that local self-help groups were sought to be ousted by the money power of large corporate houses with the help of the State. Imposition of unrealistic conditions made it impossible for mahila mandals to compete. Principle issue raised was whether contracts for supply of such food for Angawadis should be given through local mahila mandals run along democratic lines with local women participating or whether such contracts ought to be given by the State to large corporates/contractors under the guise of the conditions of the tender. It was in the above back drop that Supreme Court noted that the notice inviting tender issued by the Government of Maharashtra was not in the spirit of the orders of the Supreme Court. Therefore, the State was directed to invite tenders afresh and while doing so, it was observed that the supply should be de-centralized as much as possible.



The said decision, in our opinion, would not be applicable to the facts of the present case in as much as in the present tender, the bidders have been restricted only to poultry farmers and not made open to corporates. While insisting on financial solvency of the bidders i.e., having Rs.5 crores turnover including in any one year, exemption has been granted to the bidders to tie up with other poultry farmers for supplying 60% of the tendered quantity; thus having to supply only 40% by himself. The successful bidders are poultry farmers of the State. It is not the allegation that the unsuccessful bidders are traders or contractors or corporates. It is unfortunate that appellants do not have annual turnover of Rs.5 crores for the last three years but that does not mean that the condition imposed by the State is unreasonable and arbitrary.

Insofar the decision in M.P.Power Management Company Limited v. Sky Power Southeast Solar India Private Limited ((2022) 0 Supreme (SC) 1170) is concerned, that was in relation to terminating a decision of the State to terminate a power purchase agreement entered into by the appellant with the 1st respondent. Obviously, the facts are completely different. Nonetheless in paragraph 54 of the said decision, Supreme Court has culled out the principles of law relating to tenders and contracts developed over the years. There can be no dispute to such principles of law. The question is of applicability in the facts and circumstances of each case.

Thus, on a thorough consideration of all aspects of the matter, we are of the view that learned Single Judge was justified in declining to interfere with the terms and conditions of tender imposed by the State in the tender reference dated 21.11.2022.



### **HON'BLE SRI JUSTICE T. VINOD KUMAR**

**Acts/Rules:** Presidential Order of 2018 - Allocation of posts.

**Case Details:** G.Rayudu Durga Rao, S/o.Pakeer Raju **Vs** The State of Telangana, Rep. by its Principal Secretary, Agriculture and Cooperation Department and others **in** Writ Appeal No.193 of 2023. ([Click here for full Judgment](#))

**Date of Judgment:** 21-04-2023.

**Facts:** This Appeal is preferred against the order dated 06.02.2023 in I.A.No.3 of 2023 in W.P.No.1328 of 2023 whereby the learned Single Judge had vacated the interim order dated 11.01.2023 as extended on 19.01.2023 and 24.01.2023.



The appellant herein is the petitioner in the Writ Petition filed challenging the proceedings issued vide Memo. No. D-I/490120/2022 dated 10.01.2023 issued by the respondent No.2 as being contrary to the order of this Court in W.P. No.45143 of 2022 dated 19.12.2022.

**Held:** Under G.O.Ms.No.317 dt.06.12.2021, District Cadre employees, who were working in the erstwhile District of Khammam are eligible to be allotted to new Districts specified at Sl.No.4 of Annexure-I viz., Bhadradri-Kothagudem, Mahabubabad (part) and Mulugu (Part). Thus, the AEO (Grade-II), which was a District Cadre post, the employees who were working in such District Cadre posts prior to issuance of G.O.Ms.No.317 would become eligible for being allotted to only 4 Districts mentioned in Annexure-I and not outside the Districts mentioned therein even though the said District Cadre post has now been converted into Zonal Cadre Post falling in new Zone-IV – Bhadradri-Kothagudem consisting of Bhadradri-Kothagudem, Khammam, Mahabubabad, Warangal and Hanumakonda and selecting the candidates from amongst the employees falling in Zone-IV.

Further it is also to be seen that while Annexure-I specifies that erstwhile District Cadre employees working in the erstwhile Khammam District being eligible to be allotted only to new Districts mentioned in Annexure-I, the consideration of their candidature for being selected by taking into consideration the new Districts forming part of Zone-IV would result in new candidates who were working in Warangal and Hanumakonda becoming eligible for being considered for selection while on the other hand, the candidates not eligible for being allotted to the new Districts which are included in Zone-IV of Bhadradri-Kothagudem District. Thus, the employees who are working in the District Cadre basis in erstwhile District of Khammam would be in a disadvantageous position on two counts viz., (i) while their allotment is restricted to 4 new Districts mentioned in Annexure- I and (ii) they were also required to compete with the candidates who are working in erstwhile District of Warangal. Thus the entire exercise undertaken by the 2nd respondent applying Zonal seniority by considering the post of AEO (Cadre-II) as Zonal post for the purpose of sponsoring in-service candidates to pursue B.Sc (Hons/Ag) runs contrary to the spirit of G.O.Rt.No.1112 dt.27.09.2017 and judgments of this Court in W.P.No.33343 of 2017 & batch, W.P.No.45143 of 2022 and W.P.No.44446 of 2022 for the impugned proceeding to be held valid.

Further, the contention of the respondents that G.O.Ms.No.141dt.04.08.2021 and also G.O.Ms.No.317 dt.06.12.2021 have been issued for implementation of the Presidential Order of 2018, has not been brought to the notice of this Court at the time of disposal of W.P.No.45143 of 2022 dt.19.12.2022, does not appeal to this Court for acceptance for the reason that in the order passed by this Court in W.P.No.44446 of 2022





dt.19.12.2022 while considering the submissions made on behalf of 2nd respondent with regard to G.O.Ms.No.141 dt.04.08.2021, this Court specifically rejected the said contention urged on behalf of the Respondent and on the other hand directed the respondents to follow G.O.Rt.No.1112 dt.27.09.2017 and order of this Court in W.P.No.37349 of 2017 & batch; by which the respondents are only required to prepare seniority list on the basis of erstwhile 9 + 1 districts and not on the basis of new Districts created in the year 2016 or the change of the post from District Cadre to that of Zonal cadre and the Districts forming part of such Zone i.e. Zone-IV as in the facts of the present case.

Insofar as the contention with regard to the selected candidates not being made a party to the Writ Petition is concerned, it would be evident from the averments of the Writ Petition that the appellant herein had approached this Court immediately on the following day after the 2nd Respondent passed the impugned proceedings, and this Court had granted an interim order on the same day. Thus, there was no occasion for the respondents to give effect to the impugned proceedings, by which the selected candidates can claim to be interested parties for them to be arrayed as respondents in the Writ Petition.

Thus, considered from any angle, the order of the learned Single Judge of this Court vacating the interim order dt.11.01.2013 passed in I.A.No.1 of 2023 in W.P.No.1328 of 2023 giving effect to the impugned proceedings of the 2nd respondent dt.10.01.2023 cannot by any stretch of imagination be held as having been passed on due consideration of all aspects of the matter for it to be sustained.

Accordingly, the Writ Appeal is allowed; and the interim order dt.06.02.2023 passed by the learned Single Judge of this Court in I.A.No.3 of 2023 in W.P.No.1328 of 2023 is hereby set aside.

However, having regard to the fact that this Court having now found that the action of 2nd respondent in preparing the seniority list under the impugned proceedings dt.10.01.2023 is not in accordance with G.O.Rt.No.1112 dt.27.09.2017 as well as orders of this Court in W.P.Nos.44446 and 45143 of 2022 and W.P.No.37349 of 2017, this Court is of the considered view that the 2 nd respondent is to be directed to prepare the seniority list of the candidates on the basis of erstwhile 9 + 1 Districts only and not by making reference either to G.O.Ms.No.141 dt.04.08.2021 or G.O.Ms.NO.317 dt.06.12.2021 under the pretext of implementation of Presidential Order of 2018 and forward the same to the 3 rd respondent for grant of admission.

Further, in view of urgency expressed by the learned Senior Counsel appearing for the appellant, the 2nd respondent is directed to undertake the above exercise of selection of candidates from and among AEO Grade-II on the basis of the erstwhile district seniority, within a period one week from the date of receipt of a copy of this order and



forward the said list to the 3 rd respondent for providing admission to the said selected candidates. No order as to costs.



### **HON'BLE SRI JUSTICE K. LAKSHMAN**

**Acts/Rules:** Right of Children to Free and Compulsory Education Act, 2009.

**Case Details:** Little Flower High School, Abids, Hyd. Rep.by Its HM & Correspondent, Bro.Sajan Anthony Vs The State of Telangana, rep.by its Principal Secretary, Dept. of School Edn., Hyderabad & others in W.P.Nos. 45940 of 2022 and 3372 of 2023. ([Click here for full Judgment](#))

**Date of Judgment:** 05-06-2023.

**Facts:** The Petitioner (represented by his father) in W.P. No. 3372 of 2023 is a minor student who was studying in Class III of Respondent No. 5 (hereinafter referred to as 'Respondent school'). According to the Petitioner, due to the on-set of Covid-19 pandemic, he could not pay the school fee. As such, he was denied to attend online classes of Class III by the Respondent School. Thereafter, the Petitioner paid the school fee. However, the Respondent School did not permit him to appear for the final exams of Class III on the ground that he did not have requisite attendance. The Respondent School did not promote him to Class IV and detained him in Class III.

Aggrieved by the action of the Respondent School in not promoting the Petitioner, his father lodged a complaint with the Telangana State Human Rights Commission (hereinafter referred to as 'TSHRC') and a case bearing H.R. Case No. 3242 of 2022 dated 05.08.2022 was registered against the Respondent School. The TSHRC communicated the matter to the District Educational Officer to take action and submit a report.

The District Educational Officer in-turn requested the Deputy Educational Officer to submit a report after conducting an enquiry in relation to H.R. Case No. 3242 of 2022 dated 05.08.2022. The Deputy Educational Officer issued a show cause notice dated 26.09.2022 to the Respondent School seeking a reply as to why contrary to the Right of Children to Free and Compulsory Education Act, 2009 (hereinafter referred to as 'the Act, 2009') the Petitioner student was being detained in Class III and not being promoted to Class IV.



Since no reply was received from the Respondent School, another reminder show cause notice dated 25.10.2022 was issued by the Deputy Educational Officer. The Respondent School replied to the said show cause notice stating that the Petitioner student had not attended any classes and did not appear for any of the internal tests and examinations. Further, the Respondent School stated that the Act, 2009 is not applicable to minority institutions like itself.

Recording the stand taken by the Respondent School, the Deputy Educational Officer submitted an enquiry report dated 27.10.2022 to the District Educational Officer concluding that the management of the Respondent School ' is giving irrelevant answers not justiciable as per the rules in vogue'.

Based on the enquiry report, the District Educational Officer issued proceedings dated 30.11.2022 stating that the Act, 2009 is applicable to all schools including unaided minority institutions like the Respondent School and directed the Deputy Educational Officer to issue notice to the Respondent School to promote the Petitioner Student to Class IV as per Section 16 of the Act, 2009.

The Respondent School has challenged the said proceedings dated 30.11.2022 in W.P. No. 45940 of 2022.

Thereafter, proceedings dated 01.12.2022 were issued by the District Educational Officer instructing the Deputy Educational Officer to issue notice to the Respondent School to promote the Petitioner student as per proceedings dated 30.11.2022. The Petitioner student in W.P. No. 3372 of 2023 seeks a direction against the Respondent School in not implementing the orders passed in proceedings dated 01.12.2022.

**Held:** In *Vatsal Khakhariya v. State of Chhattisgarh* (2018 SCC OnLineChh 551) , the Chhattisgarh High Court dealing with the question whether a child can be held back under the unamended Section 16 of the Act, 2009 for lack of attendance held that such child cannot be held back. The relevant paragraphs are extracted below:

*14. After noticing the constitutional provisions enumerated in Article 21A of the Constitution of India read with Sections 16 and 8(f) of the Act of 2009, it is quite vivid that the petitioner was admitted to ClassVIII by respondent No. 3 School for the academic year 2017-18 and he was allowed to appear in the 8th Class examination with the intervention of the District Education Officer, though he has appeared only in four papers and could not appear in two papers, but by virtue of legislative injunction contained in Section 16 of the Act of 2009, the petitioner cannot be held back for promotion to the next class. Even the order of the District Education Officer dated 9-4-2018 was not subjected to challenge by the respondent School. However, after allowing the petitioner to appear in the examination, he was issued mark-sheet leaving the*



*column of promoted to next class "NIL". Now, a stand has been taken by the respondent School that the petitioner only appeared in class for 11 days out of 209 days, therefore, he was not entitled to be promoted to next class.*

*15. In the considered opinion of this Court, it was the duty of the respondent School to ensure the attendance of the student(s)/petitioner if any, as provided in Section 8(f) of the Act of 2009 and after permitting him to appear in the examination and allowing the order of the District Education Officer to go unchallenged, no such ground can be allowed to be permitted not to promote the petitioner to Class-IX, as he has completed elementary education now. It is true that if the petitioner has not attended the classes, it is likely to have the adverse effect on the learning of the petitioner/child who has not attended the school, but Section 16 of the Act of 2009 does not allow holding back of children in any class till the completion of elementary education for any reason whatsoever it may. In this regard, the Right of Children to Free and Compulsory Education (Second Amendment) Bill, 2017 has already been proposed and it has been tabled to the Rajya Sabha on 9th February, 2018, which is under consideration. This Bill has been proposed to substitute Section 16 of the Act of 2009 so as to empower the appropriate Government to take a decision as to whether to hold back a child in the fifth class or in the eighth class or in both classes, or not to hold back a child in any class, till the completion of elementary education.*

*16. Be that as it may, since Section 16 of the Act of 2009, as it stands today, statutorily prohibits the school to hold back a child in any class till the completion of elementary education, the act of respondent No. 3 DPS in holding back the petitioner and not promoting him to the next class i.e. promotion to Class-IX is held to be arbitrary and not in accordance with Section 16 of the Act of 2009. Accordingly, respondent No. 3 DPS is directed to award a certificate as provided in Section 30 of the Act of 2009 to the petitioner in such a manner as prescribed certifying that he has completed his elementary education and necessary report card be issued to him within a week from the date of receipt of a certified copy of this order.*

According to this Court, though the above decisions deal with unamended the Section 16 of the Act, 2009, nonetheless, the object of the said provision remains the same. As per the present Section 16 of the Act, 2009, only a student studying in Class V or Class VIII can be held back with the permission of the appropriate Government. Under the said provision, a child studying in any other class other than Class V or Class VIII cannot be detained or held back. Further, the said provision does not permit the concerned school to detain a child based on lack of attendance.

It is true that a child who did not attend requisite classes may lag behind his/her peers in terms of education. However, considering the object of Section 16, such child cannot be held back. In any case, the concerned child shall have to appear in the regular



examination in Class V or Class VIII, as the case maybe. If the child fails the said regular examination, the concerned school can hold him back in accordance with Section 16 of the Act, 2009 with the permission of the appropriate Government. Therefore, this Court holds that a child pursuing elementary education cannot be detained in the same class, unless the requirements of Section 16 of the Act, 2009 are satisfied. A child cannot be detained on the ground of him/her having less attendance and non-appearance of examination, provided the child is studying in any class other than Class V or Class VIII.

In the present case, the Petitioner student is detained in Class III which is impermissible as per Section 16 of the Act, 2009. The Respondent School could not have detained the Petitioner student and is bound to promote him to Class IV. Accordingly, this issue is answered.

**Conclusion:-**

In light of the aforesaid discussion, this Court holds as follows:

- i. W.P. No. 45940 of 2022 is dismissed.
- ii. W.P. No. 3372 of 2023 is allowed and Respondent No. 5 therein (Little Flower High School) is directed to promote the Petitioner therein to Class IV forthwith.
- iii. No order as to costs.



**HON'BLE SRI JUSTICE B. VIJAYSEN REDDY**

**Acts/Rules:** G.O.Ms.No.743 dated 30.04.1963 and under G.O.Ms.No.1117 dated 11.11.1993.

**Case Details:** K. Malla Reddy and others Vs State of Telangana & others in WRIT PETITION Nos.34217 and 36988 of 2021 ([Click here for full Judgment](#))

**Date of Judgment:** 28-04-2023.

**Facts:** Both these writ petitions are filed seeking the following relief:

*"Hon'ble Court may be pleased to issue Writ of Mandamus or any other appropriate Writ, Order or Orders, Director or Directions to declare the proceedings of 3rd respondent in endorsement dated 08.12.2021 whereby he rejected individual applications filed by the petitioners seeking deletion of their respective lands situated*



*in Sy.No.191 of Kollur Village and Sy.No.30 of Osman Nagar Village, Ramachandrapuram Mandal, Sangareddy District in the prohibited list in the Dharani Portal despite the judgment of the Hon'ble Division Bench in W.P.No.15041 of 2019 dated 07.04.2021 declaring that those lands cannot be continued in the prohibited list, as arbitrary, illegal and unsustainable and to set aside the same and issue a consequential direction to the Respondent to delete the same from the prohibited list in the Dharani Portal and to direct the 5th respondent to receive, register and release documents presented by the petitioners in respect of their lands situated in Sy.No.191 of Kollur Village, and Sy.No.30 of Osman Nagar Village, Ramachandrapuram Mandal, Sangareddy District and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case."*

**Held:** The assignment of land to ex-servicemen usually were done under G.O.Ms.No.743 dated 30.04.1963 and under G.O.Ms.No.1117 dated 11.11.1993 they were entitled to sell the land after expiry of ten (10) years from the date of assignment. It is not in dispute, as borne out from the record, that N. Kumara Swamy and B. Yohan were ex-servicemen and they were assigned land under that category. Therefore, the contention of the learned Government Pleader that the above persons were granted assignment under the landless poor category is without any merit. It is either by misquoting of G.O. or mistake done by the authorities. If the contention of the learned Government Pleader for Assignment is to be accepted, then it would run contrary to the concept of equality enshrined under Article 14 of the Constitution of India as the ex-servicemen, who are granted assignment under G.O.Ms.No.743 dated 30.04.1963, are entitled to sell the land after expiry of ten (10) years of assignment and those who are erroneously granted assignment under G.O.Ms.No.1406 dated 27.05.1958 would not be entitled for such benefit.

Learned Government Pleader for Assignment relied on the judgment of the Supreme Court in GOVERNMENT OF KARNATAKA v. GOWRAMMA ((2007) 13 SCC 482) and the judgment of this Court in B. RAMAIAH v. MANDAL REVENUE OFFICER (1990 (1) APLJ 60) and contended that so long as condition of non-alienation is there in the assignment patta, the alienation of the land is in contravention of the provisions of the Andhra Pradesh Assigned Lands (Prohibition on Transfer) Act, 1977.

By placing reliance on the observations made in para 10 of GOWRAMMA's case ((2007) 13 SCC 482), the learned Government Pleader submitted that the order of the Division Bench in WP.No.15041 of 2019 dated 07.04.2021 cannot be treated as a binding precedent as the order was passed by drawing an adverse inference as assignment records were not produced by the respondents therein.



It may be noted the observations made in WP.No.15041 of 2019 dated 07.04.2021 are being referred to in this order insofar as erroneous assignment made to ex-servicemen under landless poor category. Even assuming that the order in WP.No.15041 of 2019 dated 07.04.2021 is not to be treated as a precedent, the petitioners herein are better placed than the petitioners in WP.No.15041 of 2019, as the petitioners have clinchingly proved that assignees are ex-servicemen as discussed in paras 10 to 12 supra. The judgment in RAMAIAH's case (1990 (1) APLJ 60) is not applicable to the facts of this case, as it does not deal with assignment of lands in favour of ex-servicemen and thus, is of no relevance for the issue involved in this writ petition.

It is no doubt true, as contended by the learned Government Pleader, the judgment, in WP.No.15041 of 2019 rendered by the Division Bench, was by drawing adverse inference as records were not produced. So also in the impugned proceedings, the documents, which were filed on behalf of the petitioner in the reply affidavit, were not submitted before the third respondent.

However, these documents, which include correspondences between the Sainik Welfare Board and the Revenue authorities and before the assignments were made, are undisputed and unimpeachable documents. In the opinion of this Court, the request of the learned Government Pleader to remand the matter to the respondent No.3 is not justified. It may be noted the original assignees sold the land in the year 1993 and subsequently, the land have changed several hands. When there is no dispute about the documents filed along with the reply affidavit, relegating the parties to the respondent No.3 for de novo enquiry would be a futile exercise.

In view of the above observations, the writ petitions are allowed. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.



**HON'BLE SMT JUSTICE P. SREE SUDHA**

**Acts/Rules:** Benami Transactions (Prohibition) Act, 1988

**Case Details:** Swamy Vivekananda Educational Trust Vs S G Rayappa Raju in A S 1005 of 2010. ([Click here for full Judgment](#))

**Date of Judgment:** 13.04.2023.

**Facts:** The plaintiff filed the suit for declaration of gift deed dated 02.01.1999 executed by the 1st defendant in favour of the 2nd defendant is nonest in law and also sought



for a direction to defendants 1 and 2 to deliver vacant possession of the suit schedule property to the plaintiff.

**Held:** The main contention of the 1st defendant is that the suit land as well as the other lands were acquired by the said K.Shankar Yadav and nominally put the said lands in the names of plaintiff, Venkatamma and Vasudev Goud respectively, but after invoking of provisions of Benami Transactions (Prohibition) Act, 1988, the said purchase of the property in the name of the plaintiff and others is not valid. There is no evidence to show that the property was purchased by the said Shankar Yadav in the name of the plaintiff and no sale deed is filed and it was brought in evidence that on the oral instructions of the said K.Shankar Yadav, irrevocable G.P.As were executed in favour of the 1<sup>st</sup> defendant. Thus, there is no evidence at all to show that the suit property belongs to the said K.Shankar Yadav, but not to the plaintiff.

The learned Counsel for the appellant/D2 contended that the gift deed was executed on 02.01.1999, but the suit was filed much later in the year 2003 and as such the suit is barred by limitation. According to the plaintiff, who was examined as P.W.1, he issued a notice dated 22.08.2001 under Ex.A2 to the 1st defendant informing him about the cancellation of the GPA and that he came to know about the transfer of suit schedule property in favour of the 2nd defendant by the 1st defendant through Ex.A7-reply notice dated 13.11.2001. He further stated that he obtained the certified copy of the gift deed on 29.11.2002. Therefore, the suit was filed within the period of limitation from the date of knowledge of the plaintiff with regard to execution of the gift deed in favour of the 2nd defendant. The 2nd defendant further contended that the suit filed against the 2nd defendant Trust represented by K.Shankar Yadav, who died on 08.09.1999, is not maintainable as he was no more on the date of filing of the suit and thus the suit is liable to be dismissed against the 2nd defendant. Admittedly, D.W.1 was impleaded in the place of K.Shankar Yadav by way of amendment and thus the contention of the learned Counsel for the appellant/defendant No.2 cannot be accepted.

The learned Counsel for the appellant/defendant No.2 further submitted that the civil suit is not maintainable against the 2nd respondent-Trust as it is a public Trust. But, the issue of jurisdiction is to be raised by the 2nd defendant at the earliest point of time before the Civil Court, but he kept quiet. Therefore, now at the appellate stage, he cannot raise the said objection and it is not tenable.

In view of the foregoing reasons, I find that the trial Court, after evaluating the entire evidence both oral and documentary, rightly decreed the suit in favour of the plaintiff and against the 2nd defendant by declaring that the gift deed dated 02.01.1999 executed by the 1st defendant in favour of the 2nd defendant is nonest in law and also





directed the 2nd defendant to deliver vacant possession of the suit schedule property to the plaintiff within a period of two months from the date of decree. That apart, the suit against the 1st defendant was dismissed as abated. Therefore, this Court finds that there is no infirmity or illegality in the judgment of the trial Court and it needs no interference.



### **HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA**

**Acts/Rules:** Family Law - Divorce

**Case Details:** P.Narender Reddy Vs P. Archana Reddy in FCA 132 of 2010 ([Click here for full Judgment](#))

**Date of Judgment:** 09.06.2023.

**Facts:** The appellant moved an application for grant of divorce attributing cruelty and desertion on part of his wife. However, subjecting the evidence of PW1, RW1, Exs.P1 to P11 and Ex.R1 to scrutiny, the learned Judge of the Family Court negated the grounds urged and ultimately dismissed his application. Aggrieved by the order of dismissal, the appellant is before this Court.

**Held:** In the case on hand, by all the material that is brought on record, it is clear that the spouses did not lead continuous happy marital life. The Court can well observe behavioural discrepancies and non-adjustment between the spouses. It is clearly brought on record that even police personnel tried to make an amicable adjustment between the parties and that the spouses had set up separate family. It is not in dispute that leaving his parents and brother, the appellant-husband had set up a separate family with his wife as per her request. On the advice of Police, they entered into a written understanding to that effect also. However, they could not perceive any bliss in their matrimonial association and ultimately, they started giving complaints against each other. By the evidence brought on record, it is also clear that the wife left the matrimonial home and started residing along with her mother. No particular instance is brought on record to show as to why the respondent/wife left the matrimonial home. This Court is of the view that the fault cannot be attributable to the appellant/husband.



It is not the case of the respondent/wife that she is an earning member. It is also not her case that she and their children were not provided with proper food and clothing by the appellant-husband. When the dire necessity or requirement to leave the matrimonial home abruptly is not projected and established by the respondent-wife, leaving the matrimonial home, that too without intimation and knowledge of the other contracting party to the marriage certainly amounts to desertion. Though the aspect of cruelty on part of the wife is not established in clear terms so as to form a sole ground for grant of divorce, yet this Court is of the view that the act of desertion can be taken into consideration for grant of the relief claimed. That apart, by all the evidence that is produced, it is clear that the parties, in the light of their deep rooted differences and emotional disturbances, cannot lead a happy marital life in future. Taking into consideration these aspects, the trial Court ought to have granted a decree of divorce as prayed for. However, it did not do so. Only because the wife, before the Court, had expressed her willingness to join her husband, it cannot be termed that she is not guilty of the act of desertion. The aspect of desertion, which is one of the grounds to grant a decree of divorce, is established by the appellant –husband and therefore, this Court is of the view that the appellant-husband is entitled for the relief claimed.



### **HON'BLE DR. JUSTICE G. RADHA RANI**

**Acts/Rules:** Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015; Cr.P.C.& I P C.

**Case Details:** Nekkanti Ravi Kumar Vs The State of Telangana in CRLP 3065 of 2023.  
[\(Click here for full Judgment\)](#)

**Date of Judgment:** 10.04.2023.

**Facts:** The case of the prosecution in brief was that on 28.02.2023 at 6.30 PM, the de facto complainant lodged a report before the Police stating that in the year 2017 one Vanam Rajesh introduced her husband to Mr. T.S.S. Varaprasad @ Shiva. Later, Mr. Varaprasad moved closely and became a good friend of her husband and made them believe that he was doing Real Estate and Mining business and induced them to invest money in his business.

Having lured by his false promises, her husband invested Rs.20,00,000/- with Mr. Varaprasad after entering into MOU. After a few days, Mr. Varaprasad informed them that the said amount was not sufficient and forced her husband to apply for a loan, as



he was an employee of high profile job and promised that he would look after the process of loan and also would pay its EMI's every month and insisted to apply for a loan. On his inducement, her husband had taken Rs.81.00 lakhs of personal loans from different banks and handed over it to Mr. T.S.S.Varaprasad, who paid EMI's for a period of one year. In the year

2018, Mr. Varaprasad and his friends Nekkanti Ravi Kumar (petitioner herein) and Sundar approached her husband and forced him to register their house in their favour and threatened that they would not pay the EMIs of her husband's personal loan every month if he would not register the house. Due to their threatening, in September, 2018 she executed sale deed of their house in favour of N. Ravi Kumar. After one year, said Ravi Kumar sent a lawyer's notice to them mentioning that they have sold their house and asked them to vacate it. Since then, she and her husband questioned them about the fraud committed by them and requested them several times to return their house and money. On 24.02.2023, she along with her husband Ramesh, in-laws Vijaya and Anjaneyulu, uncle went to Ravi Kumar's house and requested to cancel the registration. Then Ravi Kumar, Sundar, Rajesh and Shivaprasad refused to cancel the registration and threatened them by humiliating and abusing them in the name of their caste and refused to give their house back and caused mental distress to her husband and abetted him to die. After that the said persons came to their house and told them that they had sold the house to one Mr.Afzal and demanded them to vacate the house, abused her husband in the name of the caste and threatened that they would kill them if they would not vacate the house, due to which her husband was highly depressed and vexed on his life committed suicide on 28.02.2023 at 9.00 AM by hanging to a ceiling fan. Her husband was shifted to Prathyusha hospital for treatment, where duty doctors declared that he was brought dead. She requested to take action against Nekkanti Ravi Kumar, Sundar, T.S.S. Varaprasad, Vanam Rajesh and Mr. Afzal, who abetted her husband to commit suicide and attempted to take their house.

Basing on the said report, the Inspector of Police of PS Adibatla, Rachakonda, registered a case vide Crime No.102 of 2023 for the offences under Sections 406, 420, 306, 506 read with 34 IPC and 3 (1) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (for short 'SC & ST Act'). During the course of investigation, A1 to A3 were arrested on 04.03.2023 and produced them before the court.

**Held:** Learned counsel for the petitioner relied upon the judgment of the Hon'ble Apex Court in Arnab Manoranjan Goswami v. The State of Maharashtra & Ors., (2021 2 ACR 1170), wherein the principles for granting bail are stated as:



*“57. While considering an application for the grant of bail under Article 226 in a suitable case, the High Court must consider the settled factors which emerge from the precedents of this Court.*

*These factors can be summarized as follows:*

*(i) The nature of the alleged offence, the nature of the accusation and the severity of the punishment in the case of a conviction;*

*(ii) Whether there exists a reasonable apprehension of the accused tampering with the witnesses or being a threat to the complainant or the witnesses;*

*(iii) The possibility of securing the presence of the accused at the trial or the likelihood of the accused fleeing from justice;*

*(iv) The antecedents of and circumstances which are peculiar to the accused;*

*(v) Whether prima facie the ingredients of the offence are made out, on the basis of the allegations as they stand, in the FIR; and*

*(vi) The significant interests of the public or the State and other similar considerations.”*

He also relied upon the judgment of this Court in *Gotte Nageshwar Rao and Anr. v. State of A.P.*, rep. by its Public Prosecutor, High Court of A.P. at Hyderabad and anr., (2019 4 Crimes (HC) 517) wherein the principles to prove the offence under Section 306 IPC are stated as:

*“8) When the above jurisprudential jurimetrics is summed up, in order to indict a person to have abetted the suicide of another person, the following cardinal principles should be considered.*

*(i) There must be mens rea or the intention of the accused to aid or to instigate or to abet the deceased to commit suicide.*

*(ii) Instigation or goading or urge forward or provoke or incitement or encouragement on the part of accused must be such that there should be a continued course of conduct of accused creating such circumstances that the deceased was left with no other option except to commit suicide.*

*(iii) A word uttered in the fit of anger or emotion without intending the consequences to actually follow cannot be regarded to be instigation.*



*(iv) There shall be direct nexus between the words uttered, acts or omissions of the accused and the resultant suicide, for, sometimes the victim committing suicide might be hypersensitive to ordinary petulance, discord and differences in domestic life quite common to the society to which the victim belonged and such petulance, discord and differences were not expected to induce a similarly circumstanced individual in a given society to commit suicide. The Court shall keep in mind, it is not what the deceased felt to commit suicide but what the accused intended by his act, which is more important in a given context.”*

On a perusal of the above judgments, this Court is of the opinion that the ingredients to constitute the offences under Section 306 of IPC or Section 3(1)(s) of SC & ST Act are prima facie not applicable to the facts of the case. The other ingredients of Sections 406 and 420 IPC are not applicable to the present petitioner. Therefore, it is considered a fit case to grant bail to the Petitioner.



### **HON'BLE SRI JUSTICE K. SURENDER**

**Acts/Rules:** Protection of Women from Domestic Violence Act, 2005 & Rules 2006.

**Case Details:** C.D.Ravindernath Vs Srilatha and another in CRLP 7027 & 7033 of 2022;  
[\(Click here for full Judgment\)](#)

**Date of Judgment:** 28.04.2023.

**Facts:** The short question involved in both the cases is whether Section 31 of The Protection of Women from Domestic Violence Act, 2005 (for short 'the DVC Act') which prescribes penalty for breaching 'protection order' under section 18 of the Act, be extended to prosecution for breach of orders of maintenance and compensation granted by the Court under Sections 20 and 22 respectively.

The petitioner in Criminal Petition No.7027 is the husband of the 1st respondent and petitioners in Criminal Petition No.7033 of 2022 are the husband, mother-in-law and brother-in-law of the 1st respondent/wife. The 1st respondent/wife filed DVC No.46 of 2014 and the Court had granted maintenance of Rs.10,000/- per month to be paid to the respondent/wife and Rs.20,000/- per month to the son, which includes medical and educational expenses. The amount was directed to be deposited into the account of the respondent/wife. It was also ordered that compensation of Rs.10.00 lakhs to be paid by all the respondents, who are the husband, mother-in-law and brother-in-law.



For the reason of not paying the compensation amount as directed and also the maintenance, which was directed to be paid by the husband, two different applications were filed under Section 31 of the Act to take cognizance and punish the petitioners in accordance with Section 31 of the Act.

Learned Magistrate having considered the applications made by the respondent/wife directed that STC No.04 of 2022 be registered for not paying maintenance and STC No.3 of 2022 registered for not paying compensation, against husband, mother-in-law and brother-in-law.

**Held:** A Court cannot read into the provisions of an enactment to arrive at a different meaning from what the words in the statute suggest. The intention can only be inferred from the words used and cannot draw inferences contrary to the meaning of the words, unless permitted by law to refer to aids to interpretation.

Under the DVC Act, as already stated supra the reliefs are segregated under different provisions from Sections 18 to 22 of the Act and there is a clear demarcation. If the legislature had intended that any breach of the order made while granting reliefs under Sections 18 to 22 be punishable under Section 31, the same would have been said in clear terms. Since there is no ambiguity in any of the reliefs that can be granted under the DVC Act and clearly demarcated, the Courts need not search for any other interpretation other than the actual meaning of the words.

Section 31 of the DVC Act prescribes penalty for breach of protection order made under Section 18. The said provision cannot be read as a penalty for residence orders under Section 19 or monetary reliefs under Section 20 or custody orders under Section 21 or compensation order under Section 22.

Learned Magistrate has relied on Rule 15(7) of Protection of Women from Domestic Violence Rules, 2006 (for short 'the Rules of 2006').

*"Rule 15(7)*

*Any resistance to the enforcement of the orders of the court under the Act by the respondent or any other person purportedly acting on his behalf shall be deemed to be a breach of protection order or an interim protection order covered under the Act."*

Rule 15 is for 'Breach of Protection Orders' granted under section 18 of the Act. Under Rule 15(7), if there is any resistance to the enforcement of the protection order as ordered by the Court either the respondent or any other person acting on his behalf can be dealt with under Section 31 of the Act. It is incorrect as found by the learned



Magistrate that Rule 15(7) of the Rules, applies to every violation under DVC Act and can be prosecuted under Section 31 of the Act.

With great respect, the findings and interpretation in Surya Prakash v. Smt.Rachna's case (2018 CRI.L.J 2545) of Madhya Pradesh Court and Vincent Shanthakumar v. Smt.Christina Geetha Rani's case (2015 CRI.L.J 1874) of Karnataka High Court, for the reasons discussed above, cannot be accepted.

In the result, the proceedings against the petitioners 1 to 3/A1, A2 and A4 in STC No.3 of 2022 and against petitioner/accused in STC No.4 of 2022 in DVC No.46 of 2022 on the file of II Additional Junior Civil Judge-cum- XIX additional Metropolitan Magistrate, Cyberabad at Malkajgiri, are hereby quashed.



### **HON'BLE MRS. JUSTICE SUREPALLI NANDA**

**Acts/Rules:** Constitution of India

**Case Details:** M/s Agile Security Forces Pvt.Ltd. and others Vs The State of Telangana and others in W.P. No. 17910 of 2022. ([Click here for full Judgment](#))

**Date of Judgment:** 11.04.2023.

**Facts:** The case of the petitioners, in brief, is as follows:

a) The 1st petitioner company is in the business of providing industrial security and also providing men on outsourcing basis for housekeeping and sanitation services to various governmental agencies and private entities. The 2<sup>nd</sup> petitioner is a shareholder in the 1st petitioner company.

b) The 1st respondent entered into an agreement with the 1st petitioner company for provision of the IHFM Services at MGM Hospital, Warangal, which includes sanitation and pest control Services, Security Services and patient care services.

c) The 1st petitioner stood L1 in Tender No.2- 1/IHFMS/SUPDT/WGL/2016-2017 Dated April, 17, 2017 (Tender) and entered into agreement on 18.04.2017 for a period of three years from the date of agreement.

d) MGM Hospital, Warangal is a 1000 bedded hospital with a built up area of 7,56,574 sq. ft and open area of 32,327 sq. yards. As per the tender and agreement manpower of 393 has to be provided i.e. Security 100, Housekeeping and Pest Control 193 and Patient Care 100.



e) The 1st petitioner has been providing the IHFM services to the complete satisfaction of the respondents, which can be seen from the satisfactory performance Certificates issued by the 1st respondent.

f) The 1st respondent issued notice vide Rc.No.119/Peshi/2022, dated 15.03.2022 directing the petitioner No.1 company to control rodents, mosquitoes and cockroaches etc in RICU, SNCY Wards, Intensive Care Units, Kitchen Complex, administrative building including the Superintendent Chamber. Apart from already implemented services under the tender/agreement, the 1st petitioner additionally too all necessary steps to curtail the rodent's movement and the same was informed to respondent on daily basis.

g) The initial tenure concluded on 14.08.2020 and the Secretary, Medical Health issued extension orders from time to time, till the new tender process is completed.

h) A patient was admitted to the respiratory ICU at MGM Hospital, Warangal having a history of chronic alcoholism, with his liver, pancreas and kidneys badly affected and on ventilator and was bitten by a rodent on the mid night of 30.03.2022. The said patient was shifted to NIMS, Hyderabad and expired on 01.04.2022 due to complications from the existing illness and not due to rat bite.

i) The 1st respondent issued show cause notice on 02.04.2022 to the petitioner to submit explanation for the lapses within three days or the higher authorities will black list the petitioner company. The actions of respondents in issuing the blacklisting notice on 02.04.2022 even before any response was given by the 1st petitioner to the memo and even before the completion of three days time to respond to the memo is a complete violative of natural justice principles and is also violative of the Fundamental Right guaranteed under the Constitution of India. Hence, this writ petition.

**Held:** This court opines that fundamentals of fair play requires the person concerned should be given an opportunity to represent his case before he is put on the black list. In the present case admittedly as borne on record the Petitioner has been denied a reasonable opportunity to put-forth his case against the proposed black listing of the Petitioner in clear violation of principles of natural justice since the Show Cause Notice and also the order of blacklisting the Petitioner are issued on the same date i.e., 02.04.2022.

Taking into consideration the interim order of this Court dated 08.04.2022 passed in W.P.No.17190 of 2022 and also the above referred facts and circumstances and the law laid down by the Apex Court in the judgments reported in (i) (1975) 1 SCC page 70 in M/s. Erusian Equipment & Chemicals Ltd., vs. State of West Bengal and Another, (ii) "Gorkha Security Services Vs. Government (NCT of Delhi) & Ors." reported in (2014) 9





SCC 105, ( iii) “Kulja Industries Limited Vs. Chief General Manager, Western Telecom Project Bharat Sanchar Nigam Limited & Others” reported in (2014) 14 SCC 731, (iv) M/S Chauhan Builders Raibareli versus The State Of Uttar Pradesh & Ors., reported in (2022) Live Law (SC) 694, (v) Rastriya Ispact Nigam Ltd., Vs. Verma Transport Company reported in (2006) 7 SCC 275, (vi) (2020) 18 SCC 550 in Deffodills Pharmaceuticals Limited and Another vs. State of Uttar Pradesh and Another, the writ petition is allowed as prayed for and the impugned Memo in RC No.G204/Peshi/2022, dt. 02.04.2022 of the 1st Respondent blacklisting the Petitioner is set aside. It is however observed that it is open for the Respondents to take appropriate action in accordance to law if the Respondents intend to do so.



### **HON'BLE SMT JUSTICE JUVVADI SRIDEVI**

**Acts/Rules:** Constitution of India & Telangana State and Subordinate Service Rules, 1996

**Case Details:** M. Rajitha & Other Vs The Telangana Tribal welfare Residential Educational Institutions Society in WRIT PETITION No.8500 of 2020 ([Click here for full Judgment](#))

**Date of Judgment:** 30-06-2023.

**Facts:** The facts of the case, in brief, are that both the petitioners herein are post graduates. They belong to BC-A category. They appeared for State Eligibility Test (SET) conducted by Osmania University pursuant to the notification dated 08.03.2018 and were waiting for results. Meanwhile, respondent No.3/Telangana Residential Educational Institutions Recruitment Board ('the Board', for brevity) issued notification No.4/2018 on 02.08.2018 for filling up the posts of degree college lecturers in respondent Nos.1 and 2 Societies. Though the last date for submission of applications was initially fixed as 13.09.2018, the same was extended till 20.09.2018. There is a clause in Para-I(4) of the said notification that the applicants must possess the prescribed qualifications to be selected for the posts notified therein, as on the date of notification, i.e., 02.08.2018. However, SET results were declared on 07.09.2018 and both the petitioners herein stood successful. Since the SET-2018 passed out candidates became ineligible for applying to the posts notified by the Board in Notification No.4/2018 as they could only acquire the prescribed qualification on 07.09.2018, i.e., after the date of notification, the Vice Chancellor of Osmania University addressed a letter, dated 11.09.2018, requesting the Board to consider the candidature of the SET-



2018 passed out candidates in the notification No.4/2018. However, the Board accepted the applications of the petitioners and accordingly, they appeared for the examination and stood meritorious amongst the aspirants. However, during verification of certificates, the petitioners were eliminated from selection process on the ground that they did not possess prescribed qualification (SET) as on the date of notification, but they acquired it subsequently. Resultantly, the candidates who stood less meritorious than the petitioners were selected for the notified posts inter alia on the ground that they obtained SET as on the date of notification. Aggrieved thereby, the petitioners along with some other similarly situated persons filed W.P.No.16595 of 2019 before this Court seeking a Mandamus directing the Board to exercise power of relaxation in view of peculiar circumstances and fill up the unfilled vacancies with the petitioners therein.

This Court, by order, dated 22.10.2019, disposed of the writ petition directing the petitioners herein to submit a representation afresh seeking appointment as degree college lecturers against unfilled vacancies within a period of two weeks from the date of receipt of a copy of the said order and directed the respondents therein (who are also respondents herein) to consider the same in accordance with the Bye-laws of the respondents, if necessary, by relaxing the clauses therein and pass appropriate orders within a period of eight weeks thereafter. Accordingly, the petitioners made a representation dated 30.10.2019 to respondent No.1 Society to consider their candidature to fill up the unfilled posts. However, by letter dated 13.11.2019, the respondent No.1 Society rejected the same holding that giving relaxation to the condition of acquiring prerequisite qualification (SET) stipulated in the notification is against the rules of notification and also Rule 12(3)(a) of Telangana State and Subordinate Service Rules, 1996 ('the Rules' for brevity) and that if the candidature of the petitioners is considered, the prospects of already selected degree college lecturers would be seriously affected. Thereafter, the petitioners again made a representation on 21.11.2019 requesting to reconsider their candidature for filling up of unfilled posts of degree college lecturers. However, the Board, vide proceedings dated 05.12.2019, again rejected the request of the petitioners reiterating that the petitioners did not possess the requisite qualification (SET) as on the date of notification. Aggrieved thereby, the petitioners filed this writ petition seeking the relief stated supra.

Before proceeding further, it is apt to state that this Court, on 19.06.2020, while issuing notice to the respondents, passed an interim order in this writ petition directing the respondents not to notify the posts of Degree College Lecturers in English in Zone-V, meant to be filled up to BC-A categories. Further, by order, dated 28.09.2020, this Court extended the interim order granted on 19.06.2020 until further orders.



**Held:** In view of the peculiar facts and circumstances of this case, this Court is of firm opinion that it is a fit case to direct the respondents to exercise the power of relaxing the Rules and appoint the petitioners as degree lecturers (English) in pursuance to the notification No.4/2018 dated 02.08.2018 under BC-A category in Zone-V with all consequential benefits.

Learned Standing counsel for the 3rd respondent/Board representing the respondents raised an apprehension that if the relief sought by the petitioners in this writ petition is granted, the same would become a precedent and several candidates would approach this Court seeking similar relief. The said apprehension is misconceived and without any substance. It is settled law that each case has to be decided on its own merit. To allay even such apprehension, I deem it appropriate to clarify that this order is being passed keeping in view the peculiar facts and circumstances of this particular case and is no precedent with respect to the subject regarding which the respondents have conceived an apprehension.

For the foregoing reasons, this writ petition is allowed. The Proceeding in R.C.No.359/Suits/2019, dated 13.11.2019, as well as the Proceedings in R.C.No.463/TREI-RB/2019, dated 05.12.2019, issued by respondent No.3 are hereby set aside. The respondents are directed to appoint the petitioners as degree lecturers (English) under BC-A category in Zone-V with all consequential benefits pursuant to the Notification No.4/2018, dated 02.08.2018, issued by respondent No.3/Board, by exercising the power of relaxation of Rules vested in them, in view of peculiar facts and circumstances of this case, within six (6) weeks from the date of receipt of a copy of this order.



**HON'BLE SRI JUSTICE N.V. SHRAVAN KUMAR**

**Acts/Rules:** Constitution of India & Service matter.

**Case Details:** Bandaru Rambabu Reddy Vs The State of Telangana, Rep.by its Principal Secretary, Department of higher Education, Secretariat, Hyderabad and others **in** WRIT PETITION No.7393 OF 2015. ([Click here for full Judgment](#))

**Date of Judgment:** 10.04.2023.

**Facts:** This writ petition has been filed seeking a writ of mandamus to declare the inaction of the respondents in regularising the services of the petitioner on par with similarly situated other employees as illegal, arbitrary, violative of Articles 14, 15, 16



and 21 of the Constitution of India besides also violative of the law as set out and settled by the Hon'ble Supreme Court of India vide their (i) Judgment dated 10.04.2006, as made in State of Karnataka Vs. Umadevi, reported in 2006 (4) SCC 1 and (ii) Judgment dated 03.08.2010 as made in State of Karnataka and others Vs. M.L.Kesari and others and also violative of principles of natural justice, equity, conscience and consequently to direct the respondents to regularise the services of the petitioner with effect from 01.08.1993 with all consequential benefits.

**Held:** Having regard to the facts and circumstances of the case, submissions made by the learned counsel on either side and taking into consideration the above all, this Court is of the opinion that the 3rd respondent has to furnish information of the petitioner's eligibility for regularisation of his services and pursue the case of the petitioner as required for its consideration with the respondents No.1 and 2 and obtain necessary orders from the respondents No.1 and 2. The above exercise shall be completed by the 3rd respondent within a period of two months, from the date of receipt of a copy of this order and thereafter, the respondents No.1 and 2, shall consider the case of the petitioner based on the information of the petitioner furnished by the 3rd respondent and in terms of the judgments referred to hereinabove one and two supra i.e. State of Karnataka Vs. Umadevi and State of Karnataka and others Vs. M.L.Kesari and others and pass appropriate orders, in accordance with law, within a period of three months, if the petitioner is otherwise eligible for the aided post.



**HON'BLE SMT. JUSTICE M.G.PRIYADARSINI**

**Acts/Rules:** Andhra Pradesh (Telangana Area) Land Revenue Act

**Case Details:** A. Venkat Reddy Vs The Secretary in APPEAL SUIT No. 1008 of 2004. ([Click here for full Judgment](#))

**Date of Judgment:** 06-06-2023.

**Facts:** One Ambati Gopaiah, father of the plaintiffs, was the absolute owner and possessor of the lands in Sy. Nos. 98, 99, 100 and 122, totally admeasuring to an extent of Ac.11-91 cents, situated at Ganapavaram Village of Munagala Mandal of Nalgonda District. The said land was acquired by the Government by initiating the proceedings under the Land Acquisition Act, 1894 in the year 1963 for the purpose of excavation of



N.S.P. left canal. However, out of the said land, an extent of Ac.4.00 cents of land was kept vacant and unutilized by the defendants for the last 30 years as it was not required for the purpose for which it was acquired. Hence, the father of the plaintiffs made several representations to the defendant authorities seeking to re-convey the unutilized vacant land by collecting the compensation amount paid to him. Said Gopaiah died in the year 1994 leaving the plaintiffs as his successors. Considering the request of the father of the plaintiffs, dated 20.06.1994, the then Deputy Executive Engineer, defendant No. 7, after making enquiry into the matter, submitted his report on 09.11.1995 to the Executive Engineer, defendant No. 6, to the effect that out of the acquired land, only an extent of Ac.2.48 cents of land in Sy. No. 122/2 is available (suit schedule land). In turn, defendant No. 6 addressed a letter, dated 18.11.1995 to the Superintending Engineer, defendant No. 5, who in turn, through his letter dated 03.02.1996 requested the Chief Engineer, defendant No. 4, seeking permission for restoring the suit land in favour of the father of the plaintiffs. As a result, the Revenue Divisional Officer, Suryapet, defendant No. 3, addressed a letter to the Secretary (Irrigation & Command Area Development), defendant No. 1, seeking permission to restore the land in favour of the father of the plaintiffs. While the matter stood thus, the father of the plaintiffs died leaving the plaintiffs as his legal heirs. At this stage, the plaintiffs approached the composite High Court of Andhra Pradesh by filing W.P. No. 3913 of 1996 seeking a direction to the Government authorities, defendants, to reassign the land in terms of Section 54-A of the Andhra Pradesh (Telangana Area) Land Revenue Act which came to be disposed of on 19.4.1996 with a direction to the authorities to redress the grievance of the plaintiffs within a period of two months. In compliance thereof, though the plaintiffs were required to attend the office of defendant No. 7 on 16.08.1996 for fixing the date for site verification in order to re-convey the suit land, as there was no progress in the matter, the plaintiffs, after filing several representations, filed Contempt Case No. 661 of 1997. Pending the Contempt Case, the authorities issued the proceedings in Memo No. E3/5522/97, dated 28.08.1997 rejecting the claim of the plaintiffs on the ground that the suit land cannot be reconveyed as it was required for buildings purpose and other public purposes. On the basis of the said letter, the Contempt Case came to be closed on 07.11.1997. According to the plaintiffs, they are the small farmers; that they are living on agriculture; that the Government having decided to re-convey the suit land in their favour in terms of Section 54-A of the Land Revenue Act, is not passing any final orders. Hence, the suit.

Contesting the suit, defendant No. 6 filed a written statement on his behalf and also on behalf of other defendants contending that there are no inconsistent decisions among the defendants as to the reconveyance of suit land in favour of the plaintiffs; that the suit land is required for other public purpose by the Government; that the



Government by orders dated 28.11.1996 made it clear that it is not possible to reconvey the suit land in favour of the erstwhile land owners in any manner.

**Held:** A perusal of Section 54 of the Telangana Act connotes that if agricultural land, such as the land we are concerned with, is no longer required, the patta thereof shall be made in favour of the person from whom the land was acquired provided that the person consents to refund the compensation originally paid to him. Admittedly, in the present case, after acquisition of the suit land, the plaintiffs' father having received the compensation filed the representation before the respondents after lapse of 30 years. The plaintiffs do not explain as to how the land acquired in 1963 for the purpose of NSP continued to be in the nature of agricultural land so as to attract the provisions of Section 54-A of the Telangana Act.

Section 16 of the Land Acquisition Act prescribes that where the Collector has made an award under Section 11 of the Land Acquisition Act, he may take possession of the land, which shall thereupon vest absolutely in the Government free from all encumbrances. Admittedly, there is no dispute that possession of the suit land was taken by the Government and as such, the suit land stood vested in the government free from all encumbrances. Section 48 of the Land Acquisition Act provides that where possession of the land has not been taken, the government is at liberty to withdraw from the acquisition. Thus, it indicates that once the possession has been taken, the government cannot ordinarily withdraw from the acquisition. Thus, a conjoint reading of Sections 16 and 48 of the Land Acquisition Act and Section 54-A of the Telangana Area Act, it is clear that after possession of the acquired land is taken, ordinarily, the government cannot re-convey it to the original owner.

Coming to the decision of the Division Bench of the composite High Court of Andhra Pradesh in Syed Akbar (supra), the decision was overruled by the Apex Court in S.L.P. No. 1999 (5) ALD 391 D.B., considering the interplay between Section 54-A of the Telangana Act and Sections 16 & 48 of the Land Acquisition Act. It is held therein as under:-

*“13. From the position of law made clear in the aforementioned decisions, it follows that (1) under Section 16 of the Land Acquisition Act, the land acquired vests in the Government absolutely free from all encumbrances; (2) the land acquired for a public purpose could be utilized for any other public purpose; and (3) the acquired land which is vested in the Government free from all encumbrances cannot be re-assigned or re-conveyed to the original owner merely on the basis of an executive order.”*



The Apex Court further observed that:-

*“15. ...the land is no more required is a decision required to be made by the competent authority. As in the present case, mere letter of Resident Engineer that the unused land is no more required is not enough. When the land is acquired under the Land Acquisition Act which is vested in the State Government free from all encumbrances, the question of re-conveying the land as claimed by the respondent could not be accepted in view of the clear position of law stated in the decisions of this Court aforementioned.*

From the above, the correspondence among the officials of the respondents, cannot be a ground for the plaintiffs to contend that the Government cannot rescind from its decision to reconvey the suit land in their favour. Since the possession of the suit land has been taken by the Government and the suit land has vested absolutely in the Government free from all encumbrances, re-conveyance cannot be made as a matter of course. Therefore, in the present case, since the Government have taken a decision not to reconvey the suit land as it is acquired for departmental use, this Court sees no irregularity or illegality with the impugned judgment passed by the Trial Court in dismissing the suit.



### **HON'BLE SRI JUSTICE C.V.BHASKAR REDDY**

**Acts/Rules:** Telangana Panchayat Raj Act, 2018

**Case Details:** A Krupadhar Reddy Vs The State of Telangana in WRIT PETITION No.16428 of 2022. ([Click here for full Judgment](#))

**Date of Judgment:** 25.04.2023.

**Facts:** The petitioner claims to have been elected as a Member of Ward No.11 of Kangti Gram Panchayat in the elections conducted in the year 2019. Thereafter, she was elected unanimously as Upa-Sarpanch on 25.01.2019 and discharging duties as Upa-Sarpanch without any complaints or remarks whatsoever. It is the case of the petitioner that Smt. Machkuri Pooja, the Sarpanch of Kangti Gram Panchayat expired on 22.03.2021 and consequent upon falling vacant of office of Sarpanch, as per Sub-Section (1) of Section 38 of Telangana Panchayat Raj Act, 2018 (for short “the Act”), when the office of Sarpanch is vacated, the Upa-Sarpanch shall exercise the power and



perform the functions of Sarpanch until a new Sarpanch is declared elected and assumes office and in view of expiry of Sarpanch, respondent No.2 issued proceedings vide Proc.No.655/2021/A1-Pts dated 07.04.2021 conferring the powers of Sarpanch on the petitioner and authorised to operate gram panchayat funds and day-to-day administration of the Gram Panchayat. Pursuant to the said proceedings issued by respondent No.2, the petitioner has assumed charge as In-charge Sarpanch on 23.06.2021.

While the matter stood thus, out of 12 ward members elected to the said Gram Panchayat, 8 ward members have signed the Form-I dated 10.03.2022 for moving no confidence motion against the petitioner and without enclosing the copy of the proposed no confidence motion, they requested respondent No.4 to issue Form-IV notice dated 17.03.2022. Therefore, the contention of the petitioner is that the procedure adopted by the respondent authorities for issuance of Form-I and Form-IV notices is in violation of the Rules framed under G.O.Ms.No.200, Panchayat Raj and Rural Development, dated 28.04.1998.

It is the further contention of the petitioner that as per Rule 2 of the said Rules, a notice of intention to make the motion shall be made in Form-I, in Form-II and in Form-III annexed to these rules either in English or in Telugu or in Urdu language, signed by not less than onehalf of the total number of members of the Gram Panchayat, Mandal Parishad, or Zilla Parishad as the case may be, together with a copy of the proposed motion, and shall be delivered in person by any two of the members who signed such notice, to the Revenue Divisional Officer and thereafter, Form-IV notice has to be issued as required under the provisions of the Act for conducting no confidence motion. It is also the contention of the petitioner that the respondent authorities have not followed Rule 2 of the Rules framed under G.O.Ms.No.200 dated 28.04.1998 for issuing Form-I notice duly enclosing a copy of the proposed motion before issuing Form-IV notice dated 17.03.2022 and therefore the said action amounts to noncompliance of the requirement under the Rules framed under G.O.Ms.No.200 dated 28.04.1998 and the same is contrary to Section 30(1) of the Act and prayed this Court to declare the impugned FormIV notice as illegal and ultra vires to the provisions of the Act.

The respondent Nos.7 to 14 impleaded during the pendency of the writ petition filed an affidavit stating that they are the Ward Members of Grampanchayat, the post of Sarpanch fell vacant in view of sudden death of the elected Sarpanch Smt. Manhkuri Pooja, the petitioner as Upa-Sarpanch was allowed to continue as In-charge Sarpanch of the Gram Panchayat. It is their further case that the petitioner taking advantage of the said position, in collusion with the Mandal Panchayat Officer, started mismanaging the funds of the Gram Panchayat and failed to conduct Gram Sabhas/undertake any development works in the village. Vexed with the attitude of the petitioner, out of the





12 ward members, the majority ward members i.e., 8 ward members have submitted no confidence motion along with Form-I to the Revenue Divisional Officer, Narayankhed, who in turn served Form-IV along with Form-I and also proposed no confidence motion to the petitioner informing that the meeting will be held on 06.04.2022 at 12:30 noon. It is further stated that when the petitioner approached this Court questioning the said Form-IV notice, this Court granted interim orders on 04.04.2022 permitting the proposed meeting shall go on 06.04.2022. Respondent No.3 was directed not to declare the result of the proposed meeting. Accordingly, meeting for no confidence motion proposed against the petitioner was conducted and a communication was sent to the District Collector, Sangareddy, by the Revenue Divisional Officer vide Letter No.D/571/2022 dated 08.04.2022 stating that out of 12 ward members, 10 ward members participated in the meeting and that out of 10 ward members, 9 ward members voted against the petitioner. Thus the no confidence motion was carried out against the petitioner and as such the petitioner is not entitled to continue as Upa-Sarpanch and to discharge duties of In-charge Sarpanch of the Gram Panchayat, as she lost the confidence of majority ward members.

**Held:** In the present case, admittedly there is a dispute whether the Revenue Divisional Officer while issuing Form-I has enclosed the notice of proposed motion of no confidence along with Form-I. Learned counsel appearing for the respondents vehemently argued that all the ward members have received the Form-I along with the notice of proposed motion of no confidence and disputed the contention of learned counsel for the petitioner.

Be that as it may, a Division Bench of this Court, while dealing with similar issue, in the case of M. Surender vs. State of Telangana (Writ Appeal No.627 of 2022,) held at paras 12 and 13 thereof as under:-

*“12. Panchayats as well as municipalities have now been brought under the constitutional scheme by way of the 73rd Constitutional Amendment. The fundamental principle governing panchayats and municipalities is that these bodies are to be run and managed on the strength of popular mandate. A person cannot hold onto office without having the majority support. Learned Government Pleader has pointed out that the Revenue Divisional Officer had only conveyed the sentiments of the majority members by issuing the notice which is nothing but consequential. 13. We are therefore of the view that on the basis of technicalities, an elected representative cannot evade the test to determine as to whether he enjoys majority support or whether he should continue in office.”*



Following the same, a Division Bench of this Court in the case of I. Rajanna vs. State of Telangana, disposed the writ appeal on similar terms vide order 16.12.2022, observing that “while the procedure laid down under the statute are required to be adhered to, but at the same time an elected representative can only hold office, provided he has the majority support.”, and directing the Revenue Divisional Officer therein to hold meeting of the Gram Panchayat to discuss ‘No Confidence Motion’.

This Court is of the prima facie opinion that the constitution which profess to be democratic and republic has made a detailed provision for democratic decentralization and self-government, as such the principle of grass-root democracy cannot be interpreted to exclude the provision of no confidence motion in respect of Office of the Chairperson of the Panchayat, just because a notice of intention has not been enclosed to Form-I prescribed under the Rules.

In the instance case, admittedly Form-I and Form-IV notices, as prescribed in Rule 2 and 3 of the Rules relating to motion of ‘no confidence’, have been served on the petitioner. Whereas, learned Government Pleader for respondent Nos.1 and 4, contended that along with Form-I, they have also enclosed the proposed no confidence motion. Further, it is settled principle that the local body institutions must run on democratic principles, and in a democracy all persons heading public bodies can continue if they enjoy the confidence of the persons who comprise such bodies.

In view of the fact that majority members have already signed Form-I notice and after considering the said Form-I, the Revenue Divisional Officer has issued the impugned Form-IV notice dated 17.03.2022, this Court prima facie finds that there is no legal infirmity in following the procedure prescribed under the Rules to interfere with the impugned Form-IV notice and as such no relief as prayed by the petitioner can be granted by this Court.



## **HON'BLE SRI JUSTICE E.V.VENUGOPAL**

**Acts/Rules:** Constitution of India & Regularization of Service.

**Case Details:** B. Rajashekar and others & K.P. Ksheera Sagar and others **Vs** The T.S.Police Housing Corporation Ltd., Hyderabad, Rep. by its Managing Director & another **in** WRIT PETITION No.3914, .4676 of 2020 & 19006 of 2022 ([Click here for full Judgment](#))

**Date of Judgment:** 22.06.2023.



**Facts:** The case of the petitioners in all these writ petitions is that all the petitioners were selected by the Selection Committee in pursuance of the recruitment notification issued by the 1st respondent and in pursuance to the letter dated 17.08.2012 all the petitioners were appointed to the post of Site Engineers Graduate (Civil), Site Engineer/Junior Assistants (Temp.) and site Engineer Diploma (Civil) respectively on contract basis initially for a period of 11 months on consolidated remuneration. It is the further case of the petitioners that the notification did not specify that the recruitment for appointment to the posts of Site Engineers and Junior Assistants are on contract basis or on consolidated pay basis. Moreover the period of appointments were restricted for a period not exceeding 11 months and stipulated that the appointment will automatically come to an end immediately on completion of 11 months.

The 1st respondent orally informed to the petitioners that the period of initial appointment is for 11 months to watch the performance of the petitioners, however, if the performance of the petitioners is satisfactory, they would not only be continued but their services would also be regularized/absorbed in the vacant posts in which they were appointed. However, contrary to that the 1st respondent issued orders in July, 2014 i.e. after formation of the State of Telangana once again appointing the petitioners for a period of 11 months on the same consolidated remuneration with similar conditions of appointment, on contract basis. The same pattern has been continued for further years of-course with slight enhancement of the remuneration. Thus, the petitioners have been rendering their services for more than eight years but still their services are not regularized.

To their utter shock and surprise, on 22.02.2020 the 1st respondent issued orders discontinuing the petitioners in WP No.3914 of 2020 and on 08.04.2022 in WP No.19006 of 2022 and on 05.02.2020 and also on 28.12.2019 in WP No.4676 of 2020 from service since their contract period had expired on 21.02.2020. The 1st respondent is contemplating to appoint through manpower agency to discharge the duties performed by the petitioners at a higher monthly remuneration and therefore, the 1st respondent is not inclined to continue the petitioners. Hence, these writ petitions.

Counter affidavits have been filed by the respondents denying the allegations levelled against them in all these writ petitions. The sum and substance of these counter affidavits is that the notification clearly specifies that the services are purely on temporary/contract basis which means that on expiry of tenure their services will automatically be ceased and that the appointment orders were also given in consonance with the notification. Further, in accordance with the notification the petitioners have executed agreements individually on their free will and having knowledge about the same, the petitioners now cannot take a different view for filing the writ petitions. It is further contended that the request of the petitioners for



sanction of time-scale of pay as that of regular employees does not arise at all as they were engaged purely on contract basis for a specific period of 11 months. As there was no regular recruitment, the petitioners were engaged on contract basis for a limited period from time to time. The Government of Telangana issued GOMs.No.44, dated 01.05.2018 according permission to fill up 73 regular posts in the cadre of Assistant Executive Engineers and Junior Assistants through TSPSC and to take appropriate steps for fillings the said vacancies duly issuing necessary notification. The petitioners were engaged only on contract basis for a fixed period and the officials of the Corporation never have given any oral or written assurance to absorb or regularize their services in the Corporation or at least continuation till filling-up of regular vacancies. The petitioners who were engaged on contract basis during the year 2012 in a Divisional Level were neither sponsored by employment exchange nor selected by the State Service Commission but selected for being engaged on contract basis on need and necessity for a temporary period with a view to assist the regular/permanent employees who are overburdened due to increased workload/turnover, are therefore not entitled for any regularization/absorption or any minimum scale of pay. Stating thus, the respondents requested to dismiss these writ petitions.

**Held:** Viewed from any angle, the action of the respondents in giving artificial breaks in service of the petitioners and denying reappointment orders to the petitioners on par with the similarly situated employees with an intention to deny them regularization in the existing vacancies is arbitrary, discriminatory and illegal.

The contention of the learned standing counsel for the respondents was that though the Government has issued orders from time to time for regularisation of the temporary / contract employees with certain conditions, but, still the petitioners are not entitled for such relief for the simple reason that the Corporation is not bound by the regularisation orders issued by the Government as it is an independent in nature. Unless and until a resolution adopting to that effect is being resolved by the Corporation, such G.Os shall not have any binding effect on the Corporation. In this context, it is pertinent to note that the Corporation had engaged the petitioners on the strength of the posts sanctioned by the Government only. In that view of the matter, the contention taken by the learned standing counsel for the respondents has no legs to stand and will not stand for scrutiny of law.

Further, a Division Bench of this Court in W.P.No.24506 of 2019 and 8096 of 2021, by order dated 12.06.2023 taking aid of the decision of the Hon'ble Apex Court in Secretary, State of Karnataka vs. Umadevi and others ((2006) 4 SCC 1) held that it is permissible for the State to grant regularisation of services of temporary employees if their initial recruitment was not illegal. The Division Bench further held that if the



recruitment was irregular and certain procedure was not strictly adhered to, such candidates can be regularised.

In the case on hand, all the writ petitioners were selected by the Selection Committee in pursuance of the recruitment notification issued by the 1st respondent and in pursuance to the letter dated 17.08.2012 all the petitioners were appointed to the post of Site Engineers Graduate (Civil), Site Engineer/Junior Assistants (Temp.) and site Engineer Diploma (Civil) respectively. Moreover, the petitioners have been working in the respondent organisation for more than a decade, may be with certain artificial breaks. But such artificial breaks do not disentitle the petitioners from claiming regularisation of their services.

This Court, after considering the facts and circumstances of the case and having regard to the submissions made on either side and also having regard to the observations made by the Hon'ble apex Court in the cases cited supra, is of the considered view that the respondents ought not to have discontinued the petitioners, which is nothing but violation of principles of natural justice. So far as the regularization of services of the petitioners is concerned, the writ petitioners are at liberty to approach the respondent Corporation with appropriate applications by making out their case for regularization and the respondents are directed to consider their case in accordance with law and rules in force within a period of three months and till the regularisation is being considered, the respondents are directed to continue the writ petitioners in the present position in their Corporation without resorting to any coercive steps and not to replace them with any other outsourcing candidates keeping in view of their long standing services in the Corporation. Keeping in view of the age of the individuals, the respondents shall also consider to relax the age conditions while considering the issue of regularisation of the services of the petitioners with prospective effect only and without any claim of monetary benefits.



### **HON'BLE SRI JUSTICE SAMBASIVARAO NAIDU**

**Acts/Rules:** Specific Relief Act, Land Grabbing Prohibition Act etc.,

**Case Details:** Mirza Humayun Died and 13 others Vs M. Sreenivas Reddy and 24 others in A.S.NO.610 of 1997 ([Click here for full Judgment](#))

**Date of Judgment:** 13.04.2023



**Facts:** This Civil First Appeal has been filed by the defendants No.1 to 7, defendants No.10, 13 to 18 in O.S.No.506 of 1989 on the file of Principal Senior Civil Judge, Ranga Reddy under Section 96 of C.P.C., assailing the Judgment and Decree in O.S.No.506 of 1989 dated 19-12-1996 by which the Court of Principle Subordinate Judge, Ranga Reddy, hereinafter be referred as 'Trial Court' passed Decree in favour of the respondents/plaintiffs and directed the 8th defendant to execute a registered sale deed in favour of the plaintiffs in respect of agricultural land admeasuring Ac.22-00 gts in Sy.Nos.493, 494/1, 494/2, 494/3, and 497 of Narsingi to Mancherevula Village, Erstwhile Rajendra Nagar Mandal, Erstwhile Ranga Reddy District.

**Held:** In Judgment between Kasturi vs Iyyamperumal and others reported in (2005) 6 SCC 733, the Hon'ble Apex Court held that strangers to the contract making claim independent and adverse to the title of defendants are neither necessary nor proper parties, therefore, not entitled to join as party/defendants in the suit filed for specific performance of contract of sale.

In this case the legal representatives of defendant No.12 who in fact not a party to the agreement and who has set up separate transaction with the father of appellant Nos.1 to 7 was added as party to the suit only on the ground that he was trying to interfere with the property. Therefore, his legal representatives are not entitled to raise any claim in the present appeal. Therefore, their request was dismissed.

The trial Court while placing reliance on a Judgment between 'Tadi Suty Ram vs Dr.Gumbarathula Rama Krishna Rao and another' (ALT 1996 3 Page No.763), held that the Judgment in LGC already decided the rights of appellants and it is binding on the trial Court. The appellants could not show any other finding or Judgment to distinguish the said order. It may be true that the appellants have claimed that they have cancelled GPA in favour of D8 but D8 has admitted the case of respondents/plaintiffs as such, his acts are binding on the appellants. The appellants who have taken a stand that there was no such GPA on behalf of D4 but they could not substantiate the said contention and the evidence of DW.1 (The GPA who has executed Ex.A.1 in favour of respondents/plaintiffs) was not challenged by the appellants. A part from that by virtue of Section 8 (2) of Land Grabbing Prohibition Act, the findings of the Special Court are binding on the trial Court. Therefore, the trial Court rightly held that DW.1 has got authority to execute GPA in favour of plaintiffs and they are entitled to seek specific performance on the basis of Ex.A.1.



## HON'BLE SRI JUSTICE J. SREENIVAS RAO

**Acts/Rules:** Telangana State Cooperative Societies Act, 1964 and Rules.

**Case Details:** Kakarla Venkateshwarlu Vs The State of Telangana rep. by Principal Secretary Cooperation Department, Secretariat, Hyderabad & 26 others in WRIT PETITION Nos.1617 of 2021 and 22607 of 2020. ([Click here for full Judgment](#))

**Date of Judgment:** 03.04.2023.

**Facts:** The petitioner submits that he is a member of respondent No.5 Fishermen Cooperative Society. He was Director in the previous body and term of the Managing Committee of the society had expired on 11.02.2019. On 17.02.2019 respondent No.5 Society passed a resolution that the elections to the Society to be conducted expeditiously and necessary challan was duly paid. However, without conducting elections, respondent No.2 had issued proceedings Rc.No.,3169/E2/2019, dated 2.01.2020 appointing Fisheries Development Officer, Khammam/respondent No.4 as official person-in-charge to the Society for a period of six months or until elections conducted to the Society. He states that as on the date of expiry of tenure of the Managing Committee of the Society 117 members were existing.

He further submits that the petitioner and other members of the Society made several representations to the respondent authorities to conduct elections. When they failed to consider the same, the petitioner had approached this Court and filed W.P.No.22607 of 2020 questioning the inaction of the respondents 2 & 3 in conducting elections to the Society. This Court granted interim direction on 15.12.2020 directing the respondent No.4 society to complete the process of preparation of voters list and place the same before the Telangana State Cooperative Election Authority (respondent No.6 in W.P.No. 1617/21), within a period four (4) weeks.

He also submits that the petitioner came to know through information furnished under Right to Information Act, 2005 dated 25.11.2020, that the person-in-charge of the Committee had illegally entered the names of 21 new members in the records of the Society on 13.01.2020. Further, the respondent No.3 addressed a letter to the respondent No.2 vide Letter No.1017/A/2020, dated 28.11.2020 and sought clarification as to from which date the 21 persons should be treated as members of the Society i.e. whether from the date of payment of share capital or date of issuance of order by respondent No.3 or from the date of entries in the Society records by official person-in-charge for taking necessary action for preparation and publication of voters list. In the said letter respondent No.3 stated that about 21 persons have been ordered to be made new members of the Society, Vallabhi vide Letter No.262/A/2017, dated 25.07.2017, and the then President of the Society, was directed to admit them as members into the Society by duly passing a general body resolution as they have already paid admission fee and share capital amount and the Managing Committee



had not passed resolution and said 21 members were not included as members of the society. Respondent No.4 after assuming charge as official person-in-charge of the society on 06-01-2020, he made entries on 31.01.2020 in admission book of the society. Immediately, the petitioner and other members have submitted objections on 18.01.2021 specifically pointing out that the 21 members, who were added in the voters list which was published on 16.01.2021, cannot be part of the voters list and elections must be conducted with the earlier existing members only. When the respondents failed to consider the objections, the petitioners filed the present writ petition.

**Held:** In Raj Kumar Gupta Versus The Registrar Cooperative Societies & Another (W.P. © 3255/2014, CM Appl. 6729/2014 dated 16.02.2016) Division Bench of Delhi High Court paragraph Nos.6 & 7 read as under:

*6. It was keeping in mind this truth and principle that K. Shantaraj & Anr v M.L. Nagaraj & Ors 1997 (6) SCC 37 held that an Administrator cannot enroll new members of a cooperative society. That decision was followed later in Joint Registrar Co-operative societies v T.A. Kuttappan 2000(6) SCC 127 which contains a lucid enunciation of the principle: "What is necessary to bear in mind is that nature of function or power exercised and not the manner in which it is done. Indeed this Court, while considering the provisions of Section 30-A of the Karnataka Act, which enabled a Special Officer appointed to exercise and perform all the powers and functions of the Committee of Management or any officer of the Cooperative Society (and not merely functions), took the view that the administrator or a special officer can exercise powers and functions only as may be required in the interests of the Cooperative Society. In that context, it was stated that he should conduct elections as enjoined under law, that is, he is to conduct elections with the members as on the rolls and by W.P.(C)3255/2014 Page 5 necessary implication, he is not vested with power to enrol new members of the society. We may add that a Cooperative Society is expected to function in a democratic manner through an elected Committee of Management and that Committee of Management is empowered to enrol new members. Enrolment of new members would involve alteration of the composition of the society itself and such a power should be exercised by an elected Committee rather than by an administrator or a Committee appointed by the Registrar while the Committee of Management is under supersession. This Court has taken the view, it did, bearing in mind these aspects, though not spelt out in the course of the judgment. Even where the language of Section 30-A of the Karnataka Act empowered a special officer to exercise and perform all the powers and functions of Committee of Management of a Cooperative Society fell for consideration, this Court having expressed that view, we do not think, there is any need to explore the difference in the meaning of the expressions "have power to exercise all or any of the functions of*





*the Committee" in the Act and "exercise all or any of the functions of the Committee" in the Karnataka Act as they are not different and are in substance one and the same and difference in language will assume no importance. What is of significance is that when the Committee of Management of the Cooperative Society commits any default or is negligent in the performance of the duties imposed under the Acts, rules and the bye-laws, which is prejudicial to the interest of the society, the same is superseded and an administrator or a Committee is imposed thereon. The duty of such a Committee or an administrator is to set right the default, if any, and to enable the society to carry on its functions as enjoined by law. Thus, the role of an administrator or a Committee appointed by the Registrar while the Committee of Management is under supersession, is, as pointed out by this Court, only to bring on W.P.(C)3255/2014 Page 6 an even keel a ship which was in doldrums. If that is the objective and is borne in mind, the interpretation of these provisions will not be difficult."*

*7. This court therefore holds that whatever be the semantics of the provision, the essential fact, i.e., an Administrator (charged with a limited remit to set right the affairs of the society or to conduct election) cannot encroach upon the right of a co-operative society or its existing members to enroll fresh members. Barring regulatory provisions enacted under the reasonable restrictions clause (Article 19 (4)), which generally deal with public interest controls required to be placed on its functioning, it is doubtful whether such a power can ever be usurped through statute. Therefore, we find no infirmity with the impugned award. The writ petition has to fail and is accordingly dismissed. No costs.*

In the above judgment the Division Bench of Delhi High Court after considering the Hon'ble Apex Court judgments held that an Administrator (charged with a limited remit to set right the affairs of the society or to conduct election) cannot encroach upon the right of a co-operative society or its existing members to enroll fresh members.

Having regard to the view expressed in the above judgments, the respondent No.4, who is discharging his official duties as a person-in-charge/administrator of respondent No.5 Society, is not having power and authority to include the 21 persons as members on the rolls of respondent No.5 Society. Hence, the action of the respondent No.4 dated 13.01.2020 entering the 21 members in respondent No.5 Society records and consequential proceedings including publication of final voters list dated 17.01.2022, is liable to be declared as illegal and contrary to law and accordingly set aside.

W.P.No.1617 of 2021 is accordingly allowed. The respondent Nos.1 to 4 and 6 are directed to conduct elections to respondent No.5 Society by following the due procedure as contemplated under the provisions of the Telangana State Cooperative Societies Act, 1964 and Rules made thereunder, within a period of three (3) months from the date of receipt of a copy of this order.



## HON'BLE SRI JUSTICE NAMAVARAPU RAJESWAR RAO

**Acts/Rules:** Motor Vehicles Act, 1988 - Compensation

**Case Details:** United India Insurance Co. Ltd Vs Manda Laxmi in MACMA 3306 of 2014.  
[\(Click here for full Judgment\)](#)

**Date of Judgment:** 23.06.2023.

**Facts:** Brief facts of the case are that on 11.12.2008 at about 1.00 p.m., one Manda Prabhaker (hereinafter referred to as "deceased") left his house to go to Zahirabad on his Discover motorcycle bearing No.AP-23-L-2795. On the way, when he reached the limits of Mogudampally Village, near the bus stand, one Tata Sumo bearing No.AP-23-L-3888 came from the back side at a high speed and in a rash and negligent manner and dashed the motorcycle, due to which, the deceased fell down and sustained severe head injury and died on the spot. On a complaint lodged by the beat constable, the Police Municipality registered a case in Crime No.103/2008 under Section 304-A IPC. The deceased was Manson and hale and healthy at the time of the accident and used to earn Rs.5,000/- per month. Due to the sudden death of the deceased, the petitioners were put to great loss and hardship. Hence the claim petition.

The first respondent remained *exparte* and the second respondent filed counter denying the petition allegations and 2nd respondent vehemently opposed the claim petition *inter alia* stating that Tata Sumo did not involve in the alleged accident and the accident occurred due to the sole negligence of the deceased. According to the eyewitness i.e. the Police Constable, who lodged the complaint, the accident occurred due to the rash and negligent driving of the deceased as he was driving at high speed and went into mud heaps, due to that, the front tyre of the motorcycle slipped and he fell down on the road. It was also stated that the claimants have planted the Tata Sumo as a crime vehicle to get the wrong gain from the 2nd respondent in collusion with the 1st respondent.

To prove the case of the petitioners, they examined PWs.1 to 3 and got marked Exs.A1 to A6. On behalf of the 2nd respondent, RWs.1 to 3 were examined and got marked Exs.B1 to B7.

On consideration of the evidence, the Tribunal allowed the claim petition in part and awarded compensation of Rs.4,75,800/- payable by the respondents under different heads. Challenging the same, the present appeal is filed by the second respondent/Insurance company.

**Held:** In S.K.M. Haider Vs. Union of India and others, reported in (2011) 4 SCC 700., it is held as follows:



*“It is well-settled that delay in lodging FIR cannot be a ground to doubt the claimant's case. Knowing the Indian conditions as they are, we cannot expect a common man to first rush to the Police Station immediately after an accident. Human nature and family responsibilities occupy the mind of kith and kin to such an extent that they give more importance to get the victim treated rather than to rush to the Police Station. Under such circumstances, they are not expected to act mechanically with promptitude in lodging the FIR with the Police. Delay in lodging the FIR thus, cannot be the ground to deny justice to the victim.”*

In *Sunita and others Vs. Rajasthan State Road Transport Corporation and others*, reported in (2020) 13 SCC 486, it is held as follows:

*The Tribunal's reliance upon FIR 247/2011 (Exh. 1) and chargesheet (Exh. 2) also cannot be faulted as these documents indicate the complicity of respondent No.2. The FIR and chargesheet, coupled with the other evidence on record, inarguably establishes the occurrence of the fatal accident and also point towards the negligence of the respondent No.2 in causing the said accident. Even if the final outcome of the criminal proceedings against respondent No.2 is unknown, the same would make no difference atleast for the purposes of deciding the claim petition under the Act. This Court in *Mangla Ram (supra)*, noted that the nature of proof required to establish culpability under criminal law is far higher than the standard required under the law of torts to create liability. 26. Accordingly, we have no hesitation in upholding the finding recorded by the Tribunal that there was an accident on 28/10/2011 at around 7AM between the motorcycle driven by Sitaram bearing registration number RJ 25 SA 6923 and a bus belonging to respondent No.1. (the Rajasthan State Road Transport Corporation) bearing registration number RJ26/P.A. 0042 coming from the opposite direction and being driven rashly and negligently by respondent No.2, which resulted in the death of Sitaram. 27. The next question is whether the purported shortcomings in the evidence of Bhagchand Khateek (A.D.2) and the lack of evidence of the pillion rider on the motorcycle, Rajulal Khateek, would be fatal to the appellants' case. As regards the evidence of Bhagchand, the High Court found that the deposition of the said witness was unreliable because his name was not mentioned in the list of witnesses in the criminal proceedings and also because he was unable to tell the age of the pillion rider. Besides, the said witness lived in Pakhala village, which was 3 (three) kilometres away from the accident spot and hence, he could not have been near the said spot when the accident occurred. The Tribunal had dealt with these objections quite substantially and, in our opinion, correctly, in its judgment, wherein it records:*

In *Branch Manager, United India Insurance Co, Tld., Medak District Vs. MykalaSulochana and others*, reported in 2007 SCC Online AP 314., it is held as follows:



*“It must not be forgotten that the contents of FIR cannot be treated as conclusive proof of such aspects. The relevance of FIR in the claim petitions filed under the Act, is virtually limited to see whether the accident and the death or injuries have taken place, at all. Beyond that, it cannot be taken use of, to affix or apportion the liability in causing the accident. . . “*

The above decisions relied upon by the learned Counsel for the respondents/claimants would guide that the Tribunal ought not to construe strict rule of evidence. The Tribunal shall not look into the complete criminality and not to disbelieve a claim petition on the sole ground of delay in lodging FIR. Further, the MV Act itself is a beneficial legislation and the Courts must be liberal in dealing with the claim petition.

The ratios in all the decisions cited above are guiding principles. However, this Court is of the considered view that the facts in all those cases differ from that of the present case and as such, the same are not applicable herein. The Motor Vehicles Act of 1988 is indeed a beneficial piece of legislation, but that does not mean that every claim shall be entertained with a free and open hand in a mechanical manner. The Courts ought to weigh the evidence adduced and come to a just decision.

In the light of the above discussion, evidence and the material on record, this Court is of the opinion that the Tribunal erred in concluding that the deceased died due to the rash and negligent driving of the driver of the TATA Sumo vehicle and as such, this Court is of the view that the death of the deceased was not due to the alleged accident. As such, the impugned judgment and decree are liable to be set aside.





**SANCTIONED STRENGTH, WORKING STRENGTH, AND VACANCY POSITION OF  
HON'BLE JUDGES OF THE HIGH COURT FOR THE STATE OF TELANGANA  
AS ON 30-06-2023**

Hon'ble Judges	Sanctioned Strength	Total Number of Judicial Officers Working	Total Number of Vacancies
Permanent	32	26	6
Additional	10	2	8
<b>Total</b>	<b>42</b>	<b>28</b>	<b>14</b>

- One Permanent Hon'ble Judge of this High Court was appointed to perform the duties of the office of the Chief Justice of Tripura High Court from 11-11-2022 to 14-02-2023 and again appointed to perform the duties of the office of the Chief Justice of Tripura High Court w.e.f. 23-02-2023 to 16-04-2023 (TAJ).
- One Permanent Hon'ble Judge of this High Court is working as Judge of High Court of Punjab and Haryana w.e.f. 12-10-2021 (MSRJ).
- One permanent Hon'ble Judge of High Court of A.P. is working in this High Court w.e.f. 15-11-2021 (LKJ).
- One Permanent Hon'ble Judge of this High Court is working as Judge of High Court of Patna w.e.f. 14-05-2023 (AARJ).
- One Permanent Hon'ble Judge of this High Court is working as Judge of High Court of Madras w.e.f. 06-04-2023 (Dr.DNRJ).



**Disclaimer:** Above statements are compiled on the basis of figures & Information received from the respective Registry.





## STATEMENT OF WORK DONE IN THE HIGH COURT AS ON 30-06-2023

NATURE OF CASES	PENDING AT THE BEGINNING OF THE MONTH I.E., AS ON 30.6.2023	INSTITUTIONS FROM 01.4.2023 TO 30.6.2023	DISPOSALS FROM 01.4.2023 TO 30.6.2023	PENDENCY
(A) ORIGINAL SIDE (CIVIL)	148344	8819	5686	151477
(B) APPELLATE SIDE (CIVIL)	55011	1951	2162	54800
(C) CRIMINAL SIDE	32020	2967	3731	31256

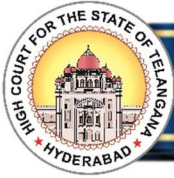
### GRAND TOTAL:

GRAND TOTAL OF CIVIL CASES	203355	10770	7848	206277
GRAND TOTAL OF CRIMINAL CASES	32020	2967	3731	31256
GRAND TOTAL OF MAIN CASES	235375	13737	11579	237533



**Disclaimer:** Above statements are compiled on the basis of figures & Information received from the respective Registry.





**SANCTIONED STRENGTH, WORKING STRENGTH, AND VACANCY POSITION OF JUDICIAL OFFICERS IN THE STATE OF TELANGANA AS ON 30-06-2023**

S.No	Cadre Strength	Sanctioned Strength	Total Number of Judicial Officers Working	Total Number of Vacancies
1.	District Judges	173	125	48
2.	Senior Civil Judges	142	107	35
3	Junior Civil Judges	245	185	61
<b>TOTAL</b>		<b>560</b>	<b>416</b>	<b>144</b>

**Judicial Service: a) District Judge under Direct Recruitment (25%quota) :**

**DISTRICT JUDGE (ENTRY LEVEL) UNDER DIRECT RECRUITMENT FOR THE YEAR 2023:**

**Notified For the year 2023:**

The High Court for the State of Telangana has placed a notification on 25-01-2023 notifying Eleven (11) vacancies in the cadre of District Judge (Entry Level) to be filled by direct recruitment (under 25% quota) for the year 2023.

On receipt of the applications from the candidates, the Government forwarded 599 applications to the High Court; that the High Court decided to conduct the written examination consisting of paper I (Civil Law), Paper II (Criminal law), Paper III English (Translation Essay writing and Grammar vocabulary) on 22-07-2023 and 23-07-2023.

Further Recruitment Process is in progress.



**DISTRICT IUDGE (ENTRY LEVEL) UNDER ACCELERATED RECRUITMENT BY TRANSFER  
FOR THE YEAR 2023:**

**Notified For the year 2023:**

The High Court for the State of Telangana has placed a notification on 25-01-2023 notifying Twelve (12) vacancies in the cadre of District Judge (Entry Level) to be filled by direct recruitment (under 25% quota) for the year 2023.

The written examination is scheduled to be conducted on 22-07-2023 and 23-07-2023 at Hyderabad.

Further Recruitment Process is in progress.

**CIVIL IUDGES - 2023**

**Notified For the year 2023 :**

As per schedule fixed by the Hon'ble Supreme Court of India in Civil appeal No. 1867 of 2006, the High Court for the State of Telangana has placed a notification on 15-01-2023 notifying 10 vacancies in the cadre of Civil Judge for the recruitment year 2023.

Further, Detailed notification for the posts notified for the year 2023 was issued on 01-02-2023 inviting applications through online for 10 posts of Civil Judge (08 vacancies to be filled under Direct recruitment and 02 vacancies to be filled under Recruitment by Transfer) in the Telangana State Judicial Service by fixing the last date for submission of online Application as 01-03-2023 upto 11.59 p.m; that after the last date, the screening test was conducted on 23-04- 2023 by using the technical/online services of the Tata Consultancy Services Limited. The hall ticket numbers of the qualified candidates of Computer based screening test was placed in the website on 15-05-2023 in the ratio of 1:10 of the notified vacancies.

Further recruitment process is in progress such as conducting written examination etc.







## SANCTIONED STRENGTH, WORKING STRENGTH AND VACANCY POSITION OF MINISTERIAL STAFF IN DISTRICT COURTS AS ON 30-6-2023

Sanctioned Strength	9896
Working Strength	5699
Vacancies	4197

### FILLING UP OF VACANCIES IN THE SUBORDINATE COURTS IN THE STATE OF TELANGANA

#### **Notified For the year 2023 :**

Under direct recruitment - 1471:

The High Court, has taken steps to centralize the process of recruitment of staff in the subordinate courts through online by utilizing the technical services of Tata Consultancy Services Limited. Accordingly, the High Court issued Notifications Nos. 1/2023 to 6/2023 dated 02-01-2023 inviting applications through online for filling up of 1471 posts of Court Staff in the State of Telangana by direct recruitment under Telangana Judicial Ministerial & Subordinate Services, for maintaining confidentiality, transparency and to overcome the delay in recruitment process and the last date for submission of applications is fixed as 31-01-2023. The computer based online examinations was scheduled to be conducted in the State of Telangana to the notifications Nos. 1/2023 to 4/2023 from 03-04-2023 to 05-04-2023 in three (03) shifts per day for notified posts under Telangana Judicial Ministerial Services.

Further, on 30-06-2023 the High Court declared the provisional selection of the hall ticket numbers of the candidates in the computer based examination in the categories of Junior Assistant, Field Assistant, Examiner, and Record Assistant.

Further Recruitment process is in progress such as certificate verification of the provisional selected candidates, verifications of antecedents and issuance of appointment orders etc.



## **FILLING UP OF VACANCIES IN THE HIGH COURT FOR THE STATE OF TELANGANA**

The High Court issued Notifications Nos. 1/2023 to 10/2023 dated 11-01-2023 and 23-01-2023 inviting applications through online for direct recruitment to the posts in terms of the Service Rules of the High Court for the State of Telangana, 2019.

Court Master and UD Steno Notification Nos. Nos.1/2023 and 5/2023

The skill test were conducted to the eligible candidates for the posts of Court Master and U.D. Steno to the Notification Nos.1/2023 and 5/2023 after completion of certification on 18-03-2023. Further, on 24-03-2023 declared the provisionally qualified candidates to attend the oral interviews. Accordingly, oral interviews were conducted on 29-03-2023 and the hall ticket number of provisionally selected candidates are placed in the website of the High Court on 31-03-2023.

### **Translator Notification No. 2/2023, dated 11-01-2023**

The High Court issued notification inviting applications through online for direct recruitment to ten (10) posts of Translators in the service of the High Court for the State of Telangana, However, the said Recruitment Notification is canceled for the reason that none of the qualified candidates applied for the said posts.

### **Assistant Librarian Notification No.4/2023, Dated 11-01-2023**

The High Court issued Notification No. 4/2023 dated 11-01-2023, inviting applications for direct recruitment to the posts of Assistant Librarian in the service of the High Court for the State of Telangana. Further, the High Court scrutinized the applications and prepared the eligible and ineligible list and placed the same in the website of the High Court on 27-03-2023. Accordingly, the examination was conducted on 01-04-2023 in High Court premises.

Further Recruitment process is in progress.

### **Computer Operator Notification No. 3/2023, dated 11-01-2023**

The High Court issued Notification No. 3/2023 dated 11-01-2023, inviting applications for direct recruitment to the posts of Computer Operator in the service of the High Court for the State of Telangana. Further, the High Court scrutinized the



applications and prepared the eligible and ineligible list and placed the same in the website of the High Court on 27-03-2023 fixing the date of Computer based examination as on 01-04-2023. Further Recruitment process is in progress such as conducting Skill Test etc.

**Assistant. System Assistant and Examiner Notification Nos. 6 to 8/2023**

The High Court issued Notification Nos. 6/2023 to 8/2023 dated 11-01-2023, inviting applications for direct recruitment to the posts of Assistant, System Assistant and Examiner in the service of the High Court for the State of Telangana. The computer based online examinations were conducted on 31-03-2023 in three (03) shifts. Further Recruitment process is in progress.

**Office Subordinate Notification No.9/2023, dated 11-01-2023.**

The High Court issued Notification No.9/2023 dated 11-01-2023, inviting applications for direct recruitment to the posts of Office Subordinate in the service of the High Court for the State of Telangana. Further, The High Court decided to conduct OMR based examination on 30-04-2023. Further Recruitment process is in progress.

**Driver Notification No.10/2023, dated 23-01-2023.**

The High Court issued Notification No.10/2023 dated 23-01-2023, inviting applications for direct recruitment to the 12 posts of Driver in the service of the High Court for the State of Telangana. Further, the High Court scrutinized the applications and prepared the eligible and ineligible list and placed the same in the website of the High Court on 19-05-2023. Accordingly, the High Court conducted the skill test in Driving to the eligible candidates on 26-05-2023, 27-05-2023 and 29-05-2023.

Further, oral interviews were conducted on 15-06-2023 and the hall ticket numbers of provisionally selected candidates are placed in the website of the High Court on 07-06-2023.





## DISTRICT WISE STATEMENT OF THE INSTITUTIONS, DISPOSAL AND PENDING OF CASES FROM 01-04-2023 TO 30-06-2023

Sl.No	NAME OF THE DISTRICT / UNIT	CIVIL			CRIMINAL		
		INSTITUTION	PENDING	DISPOSAL	INSTITUTION	PENDING	DISPOSAL
1	ADILABAD	434	2,352	325	1,281	6,527	1,479
2	KUMURAMBHEEM ASIFABAD	94	1,284	103	807	3,665	750
3	MANCHERIAL	816	5,238	497	3,188	11,276	2,738
4	NIRMAL	160	2,157	131	704	6,585	1,018
5	HYDERABAD - i) CITY CIVIL COURTS	4,978	55,966	4,731	222	1,872	155
6	ii) CITY SMALL CAUSES COURTS	71	974	92	0	0	0
7	iii) METROPOLITAN CRIMINAL COURTS	0	0	0	23,051	95,195	18,697
8	iv) TRIBUNALS	97	3,429	145	18	51	11
9	v) CBI UNIT	0	0	0	36	1,575	73
10	KARIMNAGAR	1,023	12,127	732	1,929	21,654	1,623
11	JAGTIAL	872	5,418	940	1,751	11,629	1,063
12	RAJANNA SIRCILLA	383	4,050	272	1,150	7,503	656
13	PEDDAPALLY	757	5,976	581	1,914	11,560	1,024
14	KHAMMAM	2,346	13,670	2,313	4,635	20,247	4,376
15	BADRADRI KOTHAGUDEM	409	3,022	346	1,594	15,467	1,090
16	MAHABUBNAGAR	1,185	7,477	926	1,113	11,269	847
17	JOGULAMBA GADWAL	310	4,063	138	984	5,383	902
18	NARAYANPET	401	2,252	393	331	3,898	514
19	NAGARKURNOOL	1,184	6,567	1,157	1,653	7,812	1,420
20	WANAPARTHY	269	4,531	200	1,002	6,160	926
21	MEDAK	351	4,079	284	927	8,095	747
22	SANGAREDDY	1,377	14,262	1,221	1,842	15,567	1,188
23	SIDDIPET	1,070	8,877	899	3,205	13,329	3,276
24	NALGONDA	1,608	15,463	1,463	5,373	25,877	5,050
25	SURYAPET	688	8,898	756	2,980	17,712	2,988
26	YADADRI BHUVANAGIRI	709	8,097	659	4,430	11,420	4,633
27	NIZAMABAD	1,058	9,141	831	1,200	12,400	817
28	KAMAREDDY	297	3,799	206	730	8,474	497
29	RANGAREDDY	3,826	48,050	3,980	6,183	62,660	4,349
30	MEDCHAL-MALKAJIRI	3,084	33,217	1,648	4,311	49,564	2,701
31	VIKARABAD	747	7,451	318	860	8,904	613
32	WARANGAL	979	9,568	893	1,588	11,958	985
33	HANUMAKONDA	988	14,531	622	1,424	16,076	658
34	JANGAON	327	5,101	187	426	5,620	301
35	JAYASHANKAR BHUPALAPALLY	189	2,380	188	538	5,731	309
36	MAHABUBABAD	227	3,846	185	659	7,833	692
37	MULUGU	148	962	89	499	2,714	542
<b>GRAND TOTAL</b>		<b>33,462</b>	<b>3,38,275</b>	<b>28,451</b>	<b>84,538</b>	<b>5,33,262</b>	<b>69,708</b>





## ACTIVITIES OF TELANGANA STATE LEGAL SERVICES AUTHORITY

- On 01.04.2023, the Member Secretary, TSLSA has participated in the E-Tv Telugu Channel on the occasion of telecasting 600th episode of 'Nyaya Seva Programme' and interacted with callers on various Legal issues. The Member Secretary, during the programme has created awareness on various Legal Services Programmes among the viewers.
- On 02.04.2023, the Administrative Officer, TSLSA has participated in the Training Programme on 'Gender based Violence and Laws related to Child Protection' for PLVs of Hyderabad and Medchal Malkajgiri district.
- On 04.04.2023, the Member Secretary, TSLSA has interacted with the parents and children in conflict with law on child friendly legal services conducted in coordination with UNICEF and Department of Juvenile Welfare Correctional Services, Saidabad, Hyderabad.



- On 12.04.2023, Hon'ble Sri Justice P. Naveen Rao, the Executive Chairman, TSLSA has conducted meeting with the faculty of NALSAR University of Law, Hyderabad and discussed about the establishment of Agri Legal Aid Clinics in the remaining districts of Telangana.

As per the directions of the Hon'ble High Court for the State of Telangana in W.P. No. 4434/2022, the Administrative Officer, TSLSA has visited the residence of comatose patient and interacted with family members including maids, nurses about the precautions taken by them for the safety of the comatose patient.



✚ On 15.04.2023, the Hon'ble Executive Chairman, TSLSA has interacted virtually with all the Chairpersons and Secretaries of DLSAs in connection with the establishment of Agri Legal Aid Clinic and Performance of LADCs.

✚ On 28.04.2023, the Telangana State Commission for Protection of Child Rights, Government of Telangana has conducted workshop on "Trafficking for child and Bonded Labour" in coordination with Women Development and Child Welfare Department & IJM on 28.04.2023 at Centre for Economic and Social Studies (CESS), Hyderabad.

As per the directions of Hon'ble Executive Chairman, TSLSA, other Nominated Members of District Legal Services Authorities in the State of Telangana have participated in the said Workshop.

✚ As per the directions of the Hon'ble Executive Chairman, TSLSA, all the District Legal Services Authorities in the State of Telangana have established Agri Legal Aid Clinics in coordination with the District Agriculture Department Officers. 3 to 5 Para Legal Volunteers are identified for the said clinic on rotation basis after imparting training. All the DLSAs have also interacted with the farmers and advised them to avail the services of Agri Legal Aid Clinics.



✚ The Telangana State Legal Services Authority, under the aegis of Supreme Court Mediation & Conciliation Project Committee (MCPC), has conducted 3 days programme on "Art of Mediation and Negotiation in Alternative Disputes Resolution Process, Concept and Techniques of Mediation", from 01.05.2023 to 03.05.2023, at Kanha Shantivanam, Meditation Centre, Chegur, Ranga Reddy District to the Hon'ble Judges of High Court for the State of Telangana.

The Hon'ble the Chief Justice Ujjal Bhuyan, High Court for the State of Telangana & Patron-in-Chief, Telangana State Legal Services Authority has inaugurated the programme on 1st May, 2023 at 2.00 pm in the august presence of Hon'ble Sri Justice L. Nageswara Rao, Former Judge, Hon'ble



Supreme Court of India and Hon'ble Sri Justice P. Naveen Rao, Judge, High Court for the State of Telangana and Executive Chairman, Telangana State Legal Services Authority. Sri George Lim, Chairman, Singapore International Mediation Centre has participated in the programme virtually.

In the said Programme, Hon'ble Judges of High Court for the State of Telangana, Registrar General and other Registrars of Hon'ble High Court for the State of Telangana, the Member Secretary, Telangana State Legal Services Authority, the Director, Telangana State Judicial Academy, have participated. The Judicial Officers in the State have participated in the programme through virtual mode.

Sri George Lim, Chairman, Singapore International Mediation Centre who participated in the programme virtually has stated that a billion dollar disputes can be settled through the Mediation Process. He has interacted with the Hon'ble Judges, during the programme.

Hon'ble Ms. Justice Neena Bansal Krishna, Judge, High Court of Delhi, Hon'ble Ms. Veena Ralli, Master Trainer and Hon'ble Sri J.P. Sengh, Master Trainer from SAMADHAN Delhi High Court appraised and shared skills of mediation with the Hon'ble Judges.



- ✚ The Telangana State Legal Services Authority, Hyderabad in collaboration with NALSAR University of Law, Hyderabad has conducted two days Training Programme on 10th & 11th May, 2023 at NALSAR University of Law, Hyderabad to PLVs who were deputed to work in Agri Legal Aid Clinics.

The Hon'ble Executive Chairman, TSLSA, Vice Chancellor, NALSAR University of Law and the Member Secretary, TSLSA have participated. The Member Secretary, TSLSA has also conducted training session.

- ✚ On 24.05.2023, the Administrative Officer (FAC), TSLSA has attended the Virtual Video Conference on Appeal (Crl.) No(s). 529/2021) Sonadhar Vs State of Chhattisgarh. "Order of the Court" following suggestions are made before the Hon'ble Court for consideration SLP(Crl.) No. 529/2021 E-PRISON MODULE one of the suggestions made is e-prison module can be modified for uploading data



regarding orders granting bail, status of implementation of the orders granting bail and orders of acquittal.



- ✚ As per the directions of Hon'ble High Court for the State of Telangana, the Member Secretary, Telangana State Legal Services Authority along with an Advocate have jointly visited the Animal Care Centres on 26.05.2023, 27.05.2023 and 29.05.2023. Deputy Director, GHMC was also present and informed that the capacity of the Animal Care Centre is 800 and they are doing sterilization of dogs (50 to 70) dogs per day depending upon the catching of the dogs.
- ✚ As per the directions of the Hon'ble High Court for the State of Telangana, the Administrative Officer (FAC), TSLSA has visited the residence of comatose patient on 29.05.2023 patient and interacted with family members including maids, nurses about the precautions taken by them for the safety of the comatose patient.
- ✚ As per the directions of the Hon'ble High Court for the State of Telangana, in W.P. No. 8823 of 2018, the Member Secretary, TSLSA has visited the Malkam Cheruvu on 17.06.2023 and examined the constructions carried out in the site in violation of the earlier orders and submitted report to the Hon'ble High Court.
- ✚ On 23.06.2023, the Hon'ble Chief Justice & Patron-in-Chief, TSLSA and Hon'ble Executive Chairman, TSLSA have virtually inaugurated the offices of LADCs in the remaining (17) districts in second and final phase the State of Telangana, from the Central Hall, Hon'ble High Cour for the State of





Telangana. Hon'ble Companion Judges have also participated in the programme. Thus, LADCs are established and functional in all the districts of Telangana.

- ✚ On 24.06.2023, One day Referral Judges Training Programme for the Hon'ble Judges of the High Courts of Telangana, Andhra Pradesh, Kerala and Karnataka was conducted at Park Hyatt, Hyderabad by the Mediation and Conciliation Project Committee (MCPC), Supreme Court of India, New Delhi.
- ✚ The Telangana State Legal Services Authority in Collaboration with NALSAR University of Law, Hyderabad & Legal Empowerment and Assistance for Farmers Society (LEAFs), "RYTHU CHATTALAPAI AVAGAHANA SADASU" programme was held at Bammera Village, Jangaon district On 25.06.2023.

In this programme, Hon'ble Sri Justice P. Naveen Rao, Judge, High Court for the State of Telanganana and Executive Chairman, Telangana State Legal Services Services Authority, Hyderabad attended as the Chief Guest and enlightened about various Agricultural Acts, Farmer Welfare Schemes to the Farmers, who were present from the Bommera and Palakurthy Villages.

The Member Secretary, TSLSA, Vice Chancellor, NALSAR University of Law, Other State Government Department Officials, Advocates, Para-Legal Volunteers, Villagers of Bammera and Palakurthy have participated.



- ✚ On 25.06.2023, Hon'ble Sri Justice P. Naveen Rao, Executive Chairman, TSLSA has inaugurated "Agri Legal Aid Clinic" in Hanumakonda. His Lordship has emphasized the significance of Agri Legal Aid Clinics established for creating awareness among the farmers about their rights and benefits which are available under various Agri Laws and Welfare Schemes.



- ✚ The Women Safety Wing, Government of Telangana, Hyderabad has conducted an online Orientation Programme to all stakeholders on Operation Muskan on 26.06.2023. Administrative Officer, TSLSA has attended the programme.
- ✚ On 27.06.2023, the Administrative Officer, TSLSA has attended the Virtual Video Conference on Appeal (Cri.) No(s). 529/2021) Sonadhar Vs State of Chhattisgarh. "Order of the Court" One of the suggestions made is e-prison module can be modified for uploading data regarding the orders granting bail, status of implementation of the orders granting bail, and orders of acquittal.
- ✚ As per the directions of the Hon'ble High Court for the State of Telangana, the Administrative Officer, TSLSA has visited the residence of comatose patient on 28.06.2023 and interacted with the family members, maids, nurses and enquired about the precautions taken by them for the safety of the comatose patient.
- ✚ Hon'ble Sri Justice Ujjal Bhuyan, Chief Justice, High Court for the State of Telangana & Patron-in-Chief, TSLSA, Hon'ble Sri Justice P. Naveen Rao, Judge, High Court for the State of Telangana & Executive Chairman, TSLSA, Hon'ble Sri Justice T. Vinod Kumar, Judge, High Court for the State of Telangana & Chairman, High Court Legal Services Committee, Sri S. Goverdhan Reddy, Member Secretary, TSLSA and Smt. M. Santhi Vardhani, Secretary, HCLSC have attended the 19th All India Meet of State Legal Services Authorities held on 30th June, 2023 and 1st July, 2023 at Srinagar, Jammu & Kashmir conducted by NALSA.

## ACTIVITIES OF DISTRICT LEGAL SERVICES AUTHORITIES

### "World Health day" on 07.04.2023 :

All the Legal Services Institutions in the State of Telangana have observed World Health Day on 07.04.2023 and conducted several Health Camps in coordination with the Medical & Health Department. Fruits and biscuits were also distributed to the patients during the programme.

1. The District Legal Services Authority, Adilabad has conducted Medical Camp at "Mamidiguda village" which is a remote tribal village on 07.04.2023.
2. The DLSA, Bhongir has conducted Medical Camp in the premises of the District Court Complex, Bhuvanagiri in coordination with DMHO, Yadadri-Bhuvanagiri & AIIMS, Bibinagar. A Bike Rally and a Legal Awareness Camp were also conducted on the occasion.
3. The DLSA, Gadwal has conducted legal awareness Programme at Bar Association in coordination with Medical & Health Department and created awareness on various health issues and remedies to be taken. CPR Training was also conducted by the Doctors.
4. The DLSA, Jagtial has conducted Legal Awareness programme on health issues and remedies available at Special Sub-Jail, Jagtial in co-ordination with the Medical & Health Department on the occasion of "World Health day". The Doctors have created awareness to the UTPs on CPR system, other Medical issues. Health Checkups also done to the UTPs.
5. The MLSA, Hyderabad has conducted Cycle Rally in collaboration with Hyderabad Cyclist Group and District Medical and health Department on the occasion of "WORLD HEALTH DAY" from



the Historical Charminar to Metropolitan Criminal Courts Complex. Posters on various health problems were also displayed.

#### **“Dr. B.R. Ambedkar Jayanthi” on 14.04.2022:**

All the Legal Services Institutions in the State of Telangana have observed Dr. B.R. Ambedkar Jayanthi on 14.04.2022 by conducting several Legal Awareness camps and enlightened the public on Fundamental Rights and Duties as envisaged under “Constitution of India”, Free Legal Aid and other Legal Services Programmes and Activities.

1. The Chairman, District Legal services Authority, Hanumakonda has conducted Legal Awareness programme on Fundamental Rights and duties envisaged under the Constitution on the occasion of “Dr. B.R. Ambedkar Jayanthi” at Oasis Orphanage Home, Waddepally, Hanumakonda.
2. On 10-04-2023 the Secretary, MLSA, Hyderabad has visited MSS Law College at Chaderghat, Hyderabad and conducted Legal Awareness Camp on the topic of Fundamental Rights and Duties and enlightened the students on the occasion of Ambedkar Jayanti.
3. The DLSA, Ranga Reddy has conducted Legal Awareness Camp on Fundamental Rights and Duties and explained about the importance of Constitution of India to the children of Vivekananda Vidya Vikas Kendra.

#### **“Labour Day” on 01.05.2022 :**

All the District Legal Services Authorities in the State of Telangana have observed International Labour Day on 01.05.2023 and conducted several Legal Awareness Camps at work places and enlightened the workers about their rights and the schemes introduced by the Government and also NALSA (Legal Services to the workers in Unorganized Sector) Scheme, 2015.

- a) On 04-05-2023, the DLSA, Siddipet has conducted Legal Awareness Programme at DXN Manufacturing India Private Limited, Mandapally, Siddipet District on the eve of “International May Day” and interacted with the workers of DXN Company and discussed about their rights.
- b) The DLSA, Mahabubnagar has organized Awareness Programme and Medical Camp at Labour Office Premises, Mahabubnagar in coordination with Labour Department, Mahabubnagar.
- c) The DLSA, Ranga Reddy has conducted Legal Awareness Programme and enlightened the labour about their rights and welfare schemes implemented by the Government.

#### **“World Environment Day” on 05.06.2023 :**

As per the Calendar of Activities, all the District Legal Services Authorities in the State of Telangana have observed World Environment Day on 05.06.2023. During the said campaign wide publicity was given on the importance of protection of environment. Advocates, PLVs, Law Students and general public have participated enthusiastically in the programmes.

1. DLSA, Jagtial has conducted Legal Awareness Camp at Sakhi One stop Centre, Jagtial and planted trees on the occasion of World Environment Day, 2023.
2. DLSA, Kothagudem has organized Rally and plantation on the occasion of World Environment Day.



### **World Day against Child Labour on 12.06.2023:**

As part of the Calendar of Activities, a massive campaign was conducted on the occasion of “World Day against Child Labour” on 12.06.2023 throughout the State. All the District Legal Services Authorities have conducted Awareness Camps and enlightened the public about providing opportunities to the girl child, educating the people about the health and nutrition of the girl child, providing equal rights to them, importance of prohibition of child marriages and presentation of Child Labour etc.

### **“International Yoga Day, 2023” on 21.06.2023**

All the District Legal Services Authorities in the State of Telangana have observed “International Yoga Day, 2023” on 21.06.2023 conducted various programmes and created awareness. Judicial Officers, Staff Members, PLVs and Advocates etc. were enlightened about the health benefits of practicing yoga in daily life.

### **International Day against Drug Abuse & illicit Trafficking on 26.06.2023:-**

As part of the Calendar of Activities, a massive campaign was conducted on the occasion of “International Day against Drug Abuse & illicit Trafficking on 26.06.2023 throughout the State and were conducted various programmes and created awareness on the subject.

### **SUCCESS STORIES :**

- ✚ A news item published in Eenadu daily news paper under the caption “daham theeralante....vaguku vellalsindhe”. The contents of the news item are that, the villagers of Mamidiguda-B village are facing drinking water problem as the mission bhagiratha water is not supplying water to their villages as the pipeline was under repair.

Immediately the Chairman, Mandal Legal Services Committee, Utnoor has directed the officials of Mission Bhagiratha to get the repairs done to the pipeline and supply the water to the villages. Thus with the intervention of the DLSA, Adilabad, the drinking water problem was resolved.

- ✚ A news item was published in “Eenadu, Adilabad District Edition”, Dt.09.05.2023 under the caption “Thalladilluthunna Matru Moorthy”. The contents of news item are that, one Kumra Kobai R/o.Khadki village of Bela Mandal, aged 31 yrs who is a mentally disabled person and is not receiving pension since August 2022, due to non-renewal of certificates.

Immediately, the DLSA, Adilabad has issued notices to the Director, RIMS, Adilabad, DRDA, Adilabad and MPDO, Bela to take immediate steps for issuing “Sadaram Certificate” and sanction of handicapped pension.

On 20.05.2023, the Director, RIMS, Adilabad has issued permanent Disability Certificate i.e “Sadaram Certificate” to Kumra Kobai r/o.Khadki village and same was handed over by the Secretary,



DLSA, Adilabad to Kumra Kobai. Further the officials of DRDA, Adilabad informed that pension will be sanctioned to the individual from the succeeding month.

✚ A news item published in Eenadu Daily news paper on 18.05.2023. The contents of news items are that, the labour working under “Upadhi Hami” scheme at Kummarithanda village of Utnoor Mandal were not provided basic facilities at their working places. Tents and drinking facilities are also not provided during the summer season. Immediately, the Chairman, Mandal Legal Services Committee, Utnoor has issued instructions to the Field Assistant, Upadhi Hami Scheme to take immediate steps. In turn the labour were provided drinking water facility and tent for shelter.

✚ A news item published in Eenadu Daily news paper on 18.05.2023 the contents of news item is that, though the Government has constructed small water tanks in villages to make drinking water available to the animals during the summer, the Gram Panchayat officials of Talamadugu Mandal are not filling the water in those tanks. Immediately the DLSA, Adilabad has visited the Gram Panchayat Office, and instructed the MPDO, Talamadugu to take immediate steps to fill-up the water tanks.

Accordingly, the MPDO Talamadugu has reported that the tanks were filled with water for drinking purposes of animals.

✚ A petitioner leased a property i.e., for a period of 3 years for monthly rent basis. After the expiry of the lease, the respondent has not vacated willfully not paid the rent and demolished 30 “inch” thick wide wall and constructed a single 4 “inches” wall. The petitioner filed PLC.

The DLSA, Mahabubnagar has registered it as PLC.No.1463/2023 and conducted counseling to both the parties after negotiations the said matter was settled before the Lok Adalat bench on 16.05.2023, amicably.

✚ A suit is filed by the plaintiffs at Hon’ble Special Judge for Trial of Cases under SCs/STs (POA) Act-Cum-II Addl. District and Sessions Judge Court, Mahabubnagar for registration of the Suit Schedule property in the year 2015. Basing on the agreement dated:29.04.2012 at the stage of framing of issues the court has appointed the advocate commissioner and the matter was pending for filing for advocate commissioners report, at the stage the Hon’ble court referred the matter to Lok Adalat for amicable settlement basing on the joint memo filed by the both parties.

The Lok Adalat Bench after conciliation and negotiations settled the matter amicably and that the defendant agreed to receive an amount of Rs.30,00,000/-(Rupees Thirty Lakhs Only). The plaintiffs are hereby withdrawn the suit. Accordingly an award was passed on 10.06.2023 in National Lok Adalat Bench @ Mahabubnagar.

✚ News item published in Eenadu daily news paper under caption “roddupi virigipadda chettu”. The contents of the news item is that , due to heavy rains, a road was blocked near Gubidi village due to falling of branches on road, causing inconvenience to the passengers. Immediately the DLSA, Adilabad directed the Gram Panchayat and R & B officials to remove the branches and clear the road . In turn the officials removed the branches and cleared the road.



✚ News item published in Eenadu daily news paper that a library at Lekarwada village of Jainath Mandal is not in use and is in unhygienic condition, due to which the students are unable to use the same. Immediately the DLSA, Adilabad directed the Gram Panchayat officials to clean the premises of library. In turn the officials took steps in that regard and now the library is made available to the students at the intervention of DLSA, Adilabad.

✚ It is brought to the notice of the DLSA, Adilabad that one lady suffering mental ill-health is roaming on roads of Ankoli village and some persons are teasing her. Immediately a visit was made to the spot and shifted the lady to the Sakhi Centre, Adilabad. Afterthat, the family members of the lady were called upon and the lady was shifted to Institute of Mental Health, Hyderabad for treatment.

✚ It is brought to the notice of the DLSA, Adilabad that, the Tahsildar Office, Mavala building is in poor condition. During the rainy season, due to leakage and poor electricity connections, the litigants who are visiting Tahsildar office are getting electric shock.

Immediately the DLSA, Adilabad has visited the spot and directed the Tahsildar to repair the electricity connection and take steps to shift the office to new premises. In turn, the electricity connection got repaired by the officials, concerned.

### **REGULAR LOK ADALATS:**

In the Regular Lok Adalats, conducted during the months of April, May and June, 2023, as many as 26,006 cases were settled, out of which 2929 are Pre Litigation cases and 23,077 are pending cases by awarding an amount of Rs. 78,15,31,756/-.

### **National Lok Adalat on 26.06.2023 :**

On 10.06.2023, National Lok Adalat was successfully conducted throughout the State of Telangana. A total number of 3,77,728 cases (i.e. 25,711 pre-litigation and 3,52,017 pending litigation) cases were disposed of and an amount of Rs. 158.76 crores was awarded as compensation.

### **LEGAL AID BENEFICIARIES:**

During the quarterly period from April to June, 2023, (824) Panel Advocates were appointed by the Legal Services Institutions to the needy persons for providing legal aid and (2476) persons were rendered legal advice.



**HIGH COURT LEGAL SERVICES COMMITTEE  
FOR THE STATE OF TELANGANA**

*Statistical information in respect of Lok Adalats conducted and cases settled during  
the period From April, 2023 to June, 2023*

Sl. No.	Month & Year	Date of Lok Adalat	No. of Pre-Litigation Cases Taken up	No. of Pre-Litigation Cases Settled	PLC Cases Settled Amount (Rs/-)	No. of Pending Cases Taken up	No. of pending Cases Settled	Pending Cases Settled Amount (Rs/-)	Total Amount (PLC + Pending) (Rs/-)
1.	April, 2023	-	-	-	-	-	-	-	-
2.	May, 2023	-	-	-	-	-	-	-	-
3.	June, 2023	10-06-2023 (National Lok Adalat)	59	51	4,74,54,102/-	329	167	7,25,45,898/-	12,00,00,000/-
<b>Total:</b>			<b>59</b>	<b>51</b>	<b>4,74,54,102/-</b>	<b>329</b>	<b>167</b>	<b>7,25,45,898/-</b>	<b>12,00,00,000/-</b>

*Statistical information in respect of Legal Aid provided during the period  
From April, 2023 to June, 2023*

Sl.No.	Month	SC	ST	Women	General	In custody	Persons with Disability	Total
1.	April, 2023	1	2	1	4	9	1	18
2.	May, 2023	--	--	--	--	3	--	3
3.	June, 2023	--	--	5	3	11	--	19
<b>Total :</b>		<b>1</b>	<b>2</b>	<b>6</b>	<b>7</b>	<b>23</b>	<b>1</b>	<b>40</b>



**Statistical information in respect of Identification of parties in Criminal  
Petitions/Writ Petitions/Criminal Revision Cases etc., during  
the period From April, 2023 to June, 2023**

Sl.No.	Month	CrI.P	CrI.RC	CrI.A	W.P	FCA	Total
1.	April, 2023	61	3	--	--	--	64
2.	May, 2023	5	2	--	--	--	7
3.	June, 2023	32	--	1	1	--	34
<b>Total :</b>		<b>98</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>--</b>	<b>105</b>







## TELANGANA STATE JUDICIAL ACADEMY IMPORTANT EVENTS

The Telangana State Judicial Academy has conducted various programmes between 01.04.2023 to 30.06.2023 for different target groups. The II Foundation Course for newly appointed 12 District and Sessions Judges (Entry Level) from 16.02.2023 to 15.05.2023 (Phase-I) and II Basic Course (3<sup>rd</sup> spell 2<sup>nd</sup> Batch) for 30 newly recruited Junior Civil Judges (Batch-II) were concluded during this period. The Academy has also conducted training programme to the Staff Members of the District Judiciary and also organised an event to inaugurate Research Desk in the Academy.

### **Speakers**

The II Foundation Course for newly appointed 12 District and Sessions Judges continued in to the second quarter and the trainee district judges had benefitted from the interactions from their Lordships Hon'ble Sri Justice Ujjal Bhuyan, The Chief Justice, High Court for the State of Telangana and Patron-in-Chief, Telangana State Judicial Academy, Hon'ble Sri Justice P.Naveen Rao, Judge, High Court for the State of Telangana, Hon'ble Sri Justice Abhinand Kumar Shavili, Judge, High Court for the State of Telangana & President, Telangana State Judicial Academy, Hon'ble Sri Justice T.Vinod Kumar, Judge, High Court for the State of Telangana, Hon'ble Sri Justice K.Lakshman, Judge, High Court for the State of Telangana & Member, Board of Governors, Telangana State Judicial Academy, Hon'ble Smt Justice P.Sree Sudha, Judge, High Court for the State of Telangana, Hon'ble Dr. Justice Chillakur Sumalatha, Judge, High Court for the State of Telangana, Honourable Smt. Justice G. Anupama Chakravarthy, Judge, High Court for the State of Telangana,

### **Trainings and Events:**

1. The II Foundation Course for newly appointed 12 District and Sessions Judges (Entry Level) from 16.02.2023 to 15.05.2023 (Phase-I) and II Basic Course (3<sup>rd</sup> spell 2<sup>nd</sup> Batch) for 30 newly recruited Junior Civil Judges (Batch-II) for two months from 25.03.2023 to 31.05.2023, concluded in this quarter.

Hon'ble Justice Ujjal Bhuyan, The Chief Justice, High Court for the State of Telangana and Patron-in-Chief, Telangana State Judicial Academy, has addressed the newly recruited District Judges and the Junior Civil Judges of II Basic Course in a joint session on the important topic of "Judicial Ethics" and



have made clear the importance of inculcating the Judicial Ethics in the public and private life of Judicial officers and the participants have been richly benefited from this Joint Session.

Hon'ble Sri Justice P.Naveen Rao, Judge, High Court for the State of Telangana addressed the Trainee District Judges on the topic "Increasing Pendency – Responsibility of District Judges in speedy disposal of cases" and the interactive session has given the trainee District Judges deep understanding of the responsibility cast on them.

The General interactive sessions with Hon'ble Sri Justice Abhinand Kumar Shavili Judge, High Court for the State of Telangana & President, Telangana State Judicial Academy, and Hon'ble Sri Justice K.Lakshman, Judge, High Court for the State of Telangana & Member, Board of Governors, Telangana State Judicial Academy, touching upon "various aspects of Judicial life, the integrity & conduct of Judicial Officers" helped the trainee District Judges to gain knowledge on moulding themselves to different situations.

The trainee officers also had the benefit of listening to Hon'ble Sri Justice T.Vinod Kumar, Judge, High Court for the State of Telangana, Hon'ble Smt Justice P.Sree Sudha, Judge, High Court for the State of Telangana, Hon'ble Dr. Justice Chillakur Sumalatha, Judge, High Court for the State of Telangana, on general important topics on Civil and Constitutional Law.

2. The Telangana State Judicial Academy on 02.06.2023 celebrated Telangana Rastra Avatarana Dashabdi Utsavalu – Telangana Formation Day. The Hon'ble Sri Justice K.Lakshman Judge, High Court for the State of Telangana and Member, Board of Governors, Telangana State Judicial Academy unfurled the National Flag in the premises of Telangana State Judicial Academy and Hon'ble Sri Justice Vijaysen Reddy & Hon'ble Sri Justice A.Santhosh Reddy, Judges, High Court for the State of Telangana and Members, Board of Governors have graced the occasion.



The Idea of having a Research Desk at the Judicial Academy, for the purpose of providing continuous learning and for clarification of queries by the Judicial Officers, was conceived and approved in 2021 by Hon'ble Justice Hima Kohli, the then Patron-in-Chief of the Academy.



The modalities have been since then worked out and under the able guidance of the Hon'ble Sri Justice Ujjal Bhuyan, Patron-in-Chief, Telangana State Judicial Academy, the Research Desk was inaugurated on 16.06.2023 by Hon'ble Sri Justice Ujjal Bhuyan, Chief Justice, High Court for the State of Telangana and Patron-in-Chief, Telangana State Judicial Academy on 16.06.2023, in the august presence of Hon'ble Sri Justice P.Naveen Rao, Judge, High Court for the State of Telangana, Hon'ble Sri Justice Abhinand Kumar Shavili Judge, High Court for the State of Telangana & President, Telangana State Judicial Academy, Hon'ble Sri Justice K.Lakshman, Hon'ble Sri Justice B.Vijaysen Reddy, Hon'ble Sri Justice A.Santhosh Reddy Hon'ble Members of the Board of Governors, Telangana State Judicial Academy. Hon'ble Smt Justice P.Sree Sudha, Judge, High Court for the State of Telangana, Honourable Smt. Justice G. Anupama Chakravarthy, Judge, High Court for the State of Telangana, Hon'ble Sri Justice Nagesh Bheemapaka, Judge, High Court for the State of Telangana graced the occasion.



3. The International Yoga Day was celebrated on 21.06.2023 in the premises of Telangana State Judicial Academy on the occasion of 9<sup>th</sup> International Day of Yoga and all the faculty and staff members have participated in the Yoga Day session taken by Sri Gangdhar Swamy, Yoga Instructor.



4. The idea of identifying Master Trainers from the staff of District Judiciary who would train the staff of their respective districts on various aspects on Judicial functioning was placed before Hon'ble President of the Academy who accorded permission and guided as to how the Master Trainers should be identified, after which with the support of registry, the letters were addressed to the Principal District & Session Judge of each unit to nominate the master trainers.
5. The Judicial Academy conducted Training Programme on 'Scrutiny of complaints, charge sheets and preparation of pay Bills' to the 108 Staff Members of District Courts, who are identified as Master Trainers from 21.06.2023 to 24.06.2023.





## IMPORTANT EVENTS IN JUDICIAL DISTRICTS

### GAJWEL, SIDDIPET DIST.



Hon'ble Sri Justice Ujjal Bhuyan, the Chief Justice, High Court for the State of Telangana along with Hon'ble Sri Justice P.Naveen Rao, Hon'ble Sri Justice A.Santhosh Reddy and Hon'ble Sri Justice Chada Vijaya Bhaskar Reddy laid foundation stone for construction of four Court Building and four Residential Quarters at Gajwel on 17.06.2023



## MEDAK DISTRICT



Hon'ble Sri Justice Ujjyal Bhuyan, the Chief Justice, High Court for the State of Telangana along with Hon'ble Sri Justice P.Naveen Rao and Hon'ble Sri Justice A.Santhosh Reddy unveiling of plaque for construction of additional 3<sup>rd</sup> floor over existing court building at Medak on 17.6.2023.

