

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

WRIT APPEAL NO: 1361 OF 2024

Writ Appeal under clause 15 of the Letters Patent to allow the Writ Appeal by setting aside the order dated 14-06-2023 in WP. No.14720 of 2021 as modified in IA No. 1 of 2024 in WP. No.14720 of 2021 dated 02-09-2024, on the file of the High Court.

(Amended Grounds, as per Court Order dt 10-02-2025, Vide IA. No. 3 of 2024 in W.A. No.1361 of 2024)

Between:

Telangana Social Welfare Residential Institutions of Society (REGD), Rep. by its Secretary, Telugu Samkshema Bhavan, Masab Tank, Hyderabad.

...APPELLANT

AND

1. V.Yadagiri Rao, Occ. TGT English Retired, TSWRS, Kondurg, R.R.District, R/o. Flat No. 306, A.V.Chandra Heights, Boduppal, Peerzadiguda, Medipally, R.R.District.

...RESPONDENT/PETITIONER IN WP

2. The State of Telangana, Rep by its Principal Secretary, Social Welfare Department, Secretariat, Secretariat Buildings, Hyderabad.
3. The Principal, Telangana Social Welfare Residential School, Kondurg, Ranga Reddy District.
CT is amended as per C.O. dt.18/8/2021 in IA 2/2021
4. The Deputy Director, State Audit Ranga Reddy District, Shamshabad.
**R4 is impleaded as per C.O. dt. 20/10/2022 in IA 01/2022
(Not necessary parties)**

...RESPONDENTS

IA NO: 2 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the order dated 02.09.2024 in review I.A.No.1 of 2024 in W.P.No.14720 of 2021 modifying the order in W.P.No.14720 of 2021 dated 14.06.2023, pending disposal of the writ appeal.

IA NO: 5 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the order dated 14.06.2023 in WP.No.14720 of 2021 as modified in IA.No.1 of 2024 in WP.No.14720 of 2021 dated 02.09.2024, pending disposal of the writ appeal.

**Counsel for the Appellant: SRI S.RAHUL REDDY, SPL. GP, attached to the
Off. of ADDL. ADVOCATE GENERAL**

Counsel for the Respondent No.1: SRI M.KRUPAKAR

Counsel for the Respondent No.2 & 4: GP FOR SERVICES

Counsel for the Respondent No.3: SRI S.BHOOPAL REDDY, SC FOR TSWREIS

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

The Hon'ble The Chief Justice Sri Aparesh Kumar Singh

and

The Hon'ble Sri Justice G.M.Mohiuddin

Writ Appeal No.1361 of 2024

Dated: 16.12.2025

Between:

Telangana Social Welfare Residential
Institutions of Society (Regd.)
Rep. by its Secretary, Telugu Samkshema Bhavan,
Masab Tank, Hyderabad.

...Appellant

and

V.Yadagiri Rao and 3 others

...Respondents

Order:

Mr. S.Rahul Reddy, learned Special Government Pleader attached to the office of the learned Additional Advocate General for the State of Telangana appears for the appellant and Mr. M.Krupakar, learned counsel appears for respondent No.1 (hereinafter referred as 'the Writ Petitioner').

2. Writ Petitioner, a Trained Graduate Teacher (TGT), has approached the learned Writ Court, after retirement, with the grievance of not counting the period of contractual service from

the date of his initial appointment till the date of his regularization as qualifying service for the purpose of pension. He alleged that it is contrary to G.O.Ms.No.59 Social Welfare [RS.1] Department dated 10.08.2007, by which his services were regularized. He also prayed for a direction upon the respondents in the Writ Petition/State to pay the recovered amount of Rs.4,55,087/- from the gratuity benefits. The said Writ Petition was disposed of *vide* order dated 14.06.2023, with a direction to the State to re-compute the pensionary benefits of the petitioner by treating his services from the date of initial appointment and refund the amount recovered within a stipulated period. Aggrieved by the same, the State filed a Review Petition. However, by order dated 02.09.2024, the said Review Petition was allowed only to the extent of considering the services rendered by the Writ Petitioner prior to his regularization notionally for the purpose of pension and pensionary benefits. The order with regard to refund of the amount recovered from the Writ Petitioner was however not

modified. Respondent No.2 in the Writ Petition-Telangana Social Welfare Residential Institutions of Society has preferred this Appeal being aggrieved by the order dated 14.06.2023, passed in the Writ Petition as well as the order dated 02.09.2024, passed in the Review Petition.

3. We have heard learned counsel for the parties and taken note of the relevant materials placed on record.

4. G.O.Ms.No.59 Social Welfare [RS.1] Department dated 10.08.2007 did not stipulate any condition to count the services of Teachers from the initial date of their contractual employment. It only allowed to certain contractual Teachers, relaxation in qualification of holding Post Graduate degree for being recruited in TGT cadre on regular basis. With regard to 42 Teachers, who do not possess B.Ed qualification in the relevant methodology, suitable time was allowed to them to acquire the requisite qualification and thereafter their services would be regularized in TGT cadre only. The subsequent

Circular dated 21.08.2007, issued by the Andhra Pradesh Social Welfare Residential Educational Institutions Society, Hyderabad, with reference to G.O.Ms.No.59 dated 10.08.2007, states at para 3 that under Agenda No.1 approved by the 49th Board of Governors meeting held on 26.05.2007, the order of regularization will be prospective ignoring past services for all purposes of Seniority, Monitory benefits *etc.* G.O.Ms.No.59 dated 10.08.2007 and Circular dated 21.08.2007 remained unchallenged till filing of the aforesaid Writ Petition by the Writ Petitioner after his retirement. Learned Writ Court proceeded to allow the relief, sought by the Writ Petitioner, being guided by Rules 13 and 14 of the Revised Pension Rules, 1980, placed before it by the Writ Petitioner.

5. Learned Special Government Pleader has relied upon a decision of the Apex Court in **Director General, Doordarshan Prasar Bharti Corporation v. Magi H.Desai**¹.

¹ 2023 SCC OnLine SC 336

6. Learned counsel for the writ petitioner has relied upon a decision of the erstwhile High Court of Andhra Pradesh in **M.Ramachandra Reddy v. The Principal Secretary to Government of Andhra Pradesh, Social Welfare Department** [order dated 13.12.2017 in W.P.No.22486 of 2000], a copy of which is annexed to the counter-affidavit.

7. We find that the decision in the case of **M.Ramachandra Reddy (supra)** is not pertaining to similarly situated persons. The said case relates to regularization of services of certain TGTs on the basis of G.O.Ms.No.212 Finance & Planning (FW.PC.III) Department dated 22.04.1994.

8. The case of the Writ Petitioner revolves around G.O.Ms.No.59 dated 10.08.2007, under which his services were regularized. G.O.Ms.No.59 dated 10.08.2007 and Circular dated 21.08.2007 expressly deny counting of past service for the purpose of seniority or monetary benefits prior to the date of regularization of services.

9. Learned Writ Court failed to take into consideration the aforesaid fact while allowing the relief sought by the Writ Petitioner. Therefore, we are inclined to interfere in the order dated 14.06.2023, passed in the Writ Petition to the extent it has directed counting of past service of the Writ Petitioner notionally for the purpose of pensionary benefits. We are, however, not inclined to interfere with the impugned direction with regard to refund of the amount recovered from the Writ Petitioner.

10. Accordingly, the instant Writ Appeal stands allowed in the manner and to the extent indicated above. No costs.

As a sequel, miscellaneous petitions, pending if any, stand closed.

**SD/-R. KARTHIKEYAN
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Social Welfare Department, Secretariat, Secretariat Buildings, Hyderabad, State of Telangana.
2. The Principal, Telangana Social Welfare Residential School, Kondurg, Ranga Reddy District.
3. The Deputy Director, State Audit Ranga Reddy District, Shamshabad.
4. The Secretary, Telangana Social Welfare Residential Institutions of Society (REGD), Telugu Samkshema Bhavan, Masab Tank, Hyderabad.
5. One CC to SRI M.KRUPAKAR, Advocate [OPUC]
6. One CC to SRI S.BHOOPAL REDDY, SC FOR TSWREIS [OPUC]
7. Two CCs to ADDL. ADVOCATE GENERAL, High Court for the State of Telangana at Hyderabad [OUT]
8. Two CCs to GP FOR SERVICES, High Court for the State of Telangana at Hyderabad [OUT]
9. Two CD Copies

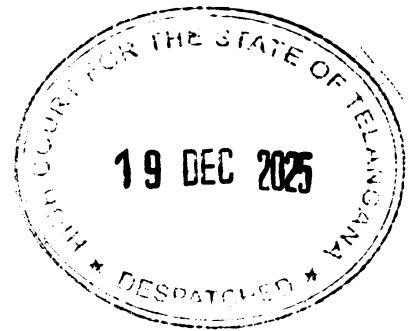
BSR
GJP

HIGH COURT

DATED: 16/12/2025

ORDER

WA.No.1361 of 2024



**ALLOWING THE WRIT APPEAL,
WITHOUT COSTS**

(13)
19/12/25
b.k