

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

FRIDAY, THE NINETEENTH 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 PETITION NO: 38978 OF 2025

Between:

Balaiah, S/o. Late Papaiah, Aged about 77 years, Occ- Office Superintendent (Retd) O/o Asst Director Drugs Control Administration, R/o. 1-2-249/12, Jai Bharath Nagar, Hydernagar, Nizampet Cross Road, Kukatpally, Hyderabad District, Telangana-505402.

...PETITIONER

AND

1. The Union of India, Rep by its Secretary, Ministry of Personnel and Public Grievances New Delhi.
2. The State of Telanagana, Rep by its Chief Secretary, Dr. B. R. Ambedkar Telangana Secretariat, Hyderabad-500022.
3. The State of Telangana, Rep. by its Principal Secretary, Health Medical and Family Welfare Department, Dr. B. R. Ambedkar Telangana Secretariat, Hyderabad-500022.
4. The State of Andhra Pradesh, Rep by its Chief Secretary, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District-522238.
5. The State of Andhra Pradesh, Rep. by its Principal Secretary, Health Medical and Family Welfare Department, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur-522238.
6. The Director General, Drugs Control Administration, Government of Telangana, Hyderabad-500038.
7. The Director General, Drugs Control Administration, Government of Andhra Pradesh, Vijayawada - 520008.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction, more particularly one in the nature of Writ of Mandamus, by declaring the action of the Respondent No. 2 to 7 are not providing 100 % pension, gratuity, pay fixation and other financial benefits along with all retirement benefits and 25 % arrears of salary since 2002, till the date of retirement i.e., 31.08.2006 to the petitioner, though the petitioner has obtained

clean Acquittal in all the Criminal Case filed against him, is illegal and arbitrary and contrary to the provisions of the AP Reorganization Act, 2014, and also violative of Articles 14, 16 and 21 of the Constitution of India and consequently declare the petitioner is eligible for the above statutory benefits i.e., 100 percentage pension, gratuity, pay fixation and other financial benefits along with all retirement benefits inclusive of 25 % arrears of salary since 2002, till the date of retirement i.e., 31.08.2006

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent No. 2 to 7 to provide 100% pension, gratuity, pay fixation and other financial benefits along with all retirement benefits inclusive of 25% arrears of salary since 2002, till the date of retirement i.e., 31.08.2006 to the petitioner, pending disposal of the above Writ Petition, pending disposal of the above writ petition

**Counsel for the Petitioner: SRI G. MOHANA SAI BABA REP
SRI. CH VENKAT RAMAN**

**Counsel for the Respondent No.1: SRI . B. MUKHARJEE REP
SRI N. BHUJANGA RAO
Deputy Solicitor General of India**

Counsel for the Respondent No.2: Ms. M. SHALINI AGP FOR SERVICES II

**Counsel for the Respondent Nos. 4,5&7: SRI A. RAGHURAM,
AGP FOR THE STATE OF
ANDHRRA PRADESH**

**Counsel for the Respondent Nos. 3&6: GP FOR MEDICAL HEALTH
AND FAMILY WELFARE**

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 PETITION No.38978 of 2025

Dated:19.12.2025

Between:

Balaiah

...Petitioner

and

The Union of India,
Rep., by its Secretary,
Ministry of Personnel and Public Grievances,
New Delhi and 6 others.

...Respondents

ORDER:

Mr. G. Mohana Sai Baba, learned counsel represents
Mr. Ch. Venkat Raman, learned counsel for the petitioner.

Mr. B. Mukharjee, learned counsel represents
Mr. N. Bhujanga Rao, learned Deputy Solicitor General of
India appears for the Union of India.

Ms. M. Shalini, learned Government Pleader for
Services-II appears for respondent No.2.

Mr. A. Raghuram, learned Assistant Government Pleader for the State of Andhra Pradesh appears for respondent Nos.4, 5 and 7.

2. The petitioner retired on 31.08.2006 as Superintendent in the office of the Assistant Director, Drugs Control Administration, Regional Office, OTC, Hyderabad, under the parent State of Andhra Pradesh. He was imposed with punishment of withholding of 100% pension and gratuity, by the erstwhile Government of Andhra Pradesh vide G.O.Ms.No.183, Health, Medical and Family Welfare (VC.1) Department, dated 01.07.2011. In the Anti-Corruption Bureau trap case, he was convicted by the Principal Special Judge for SPE and ACB Cases, City Civil Court, Hyderabad, vide judgment dated 30.07.2010 passed in C.C.No.33 of 2004. However, he was acquitted in Criminal Appeal No.941 of 2010 by a learned Single Bench of this Court vide judgment dated 19.03.2025 (Annexure P-4). Thereafter, he made a representation dated 07.04.2025 (Annexure P-1) to the Director General, Drugs Control Administration, Vengalrao Nagar, Hyderabad, for release of his 25% salary since 2002 till the

date of his retirement and all retirement benefits including gratuity etc. By letter No.6322/VC.1/2025-1, dated 17.11.2025, the Principal Secretary to Government, Health, Medical and Family Welfare Department, Government of Andhra Pradesh, was requested to take necessary action on his claim. Copy of the letter from the Anti Corruption Bureau along with other documents pertaining to the case of the petitioner including his representation was duly forwarded. The letter also indicates that the liability arising from the consideration of his claim will be borne by both the States in the population ratio through inter-state adjustments by the Accountant General.

3. Since the grievance of the petitioner has not been redressed upon his representation after acquittal, he has preferred the writ petition impleading both the States.

4. Upon hearing learned counsel for the petitioner and learned Assistant Government Pleaders representing the State of Andhra Pradesh and the State of Telangana, we are of the view that in terms of Section 59 read with the Eighth Schedule of the Andhra Pradesh Re-organization

Act, 2014 (for short, "the Act"), the competent authority to take a decision on the claim of the petitioner is the successor State of Andhra Pradesh since he retired in 2006 prior to the bifurcation of the parent State of Andhra Pradesh.

5. Therefore, the writ petition is disposed of directing the petitioner to make a fresh representation before respondent No.5 with all necessary facts and supporting documents, including copy of letter dated 17.11.2025 (Annexure P-2). Let a decision be taken by respondent No.5 within a period of eight weeks from the date of receipt of a copy of this order. Depending upon the said decision, the admissible dues pertaining to arrears of salary and post-retirement benefits be released in favour of the petitioner within eight weeks thereafter. Payment of such admissible dues shall be subject to adjustment as per the provisions contained in Section 59 read with the Eighth Schedule of the Act between the two successor States. There shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/- A.H.S. GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Secretary, Union of India, Ministry of Personnel and Public Grievances New Delhi.
2. The Chief Secretary, Dr. B. R. Ambedkar Telangana Secretariat, T.S., Hyderabad-500022.
3. The Principal Secretary, Health Medical and Family Welfare Department, Dr. B. R. Ambedkar Telangana Secretariat, T.S., Hyderabad-500022.
4. The Chief Secretary, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, A.P. Guntur District-522238.
5. The Principal Secretary, Health Medical and Family Welfare Department, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, A.P., Guntur-522238.
6. The Director General, Drugs Control Administration, Government of Telangana, Hyderabad-500038.
7. The Director General, Drugs Control Administration, Government of Andhra Pradesh, Vijayawada - 520008.
8. One CC to SRI. CH VENKAT RAMAN, Advocate [OPUC]
9. One CC to SRI. N BHUJANGA RAO, Deputy Solicitor General of India [OPUC]
10. Two CCs to GP FOR SERVICES II, High Court for the State of Telangana, at Hyderabad [OUT]
11. Two CCs to GP FOR MEDICAL AND FAMILY HEALTH WELFARE, High Court for the State of Telangana, at Hyderabad [OUT]
12. Two CD Copies

B M

[Signature]

HIGH COURT

DATED:19/12/2025

ORDER

WP.No.38978 of 2025



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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kpr
29/12/25