

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**THURSDAY, THE TWENTY SIXTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

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

WRIT APPEAL NO: 234 OF 2026

Writ Appeal under clause 15 of the Letters Patent against the dated 23/01/2026 in WP No 34648 of 2024 on the file of the High Court.

Between:

1. K. Narender Reddy, S/o K. Bucha Reddy, Aged about 48 years, Occ. Armed Reserve Sub-Inspector-36 (ARSI), O/o 6th Bn TGSP, Kothagudem, R/o H.No.1-34, Chinna Mandedi (VI), Peddamanded (Mdl), Wanaparthy District.
2. Md Khaleel, S/o Md Hussain, Aged about 50 years, Occ. ARSI-30, O/o 6th Bn TGSP, Kothagudem, R/o Block No.12, Q.No-4, Bumpet police line, Hyderabad.
3. G. Sharath Shankar babu, S/o G. Laxmanna (Late), Aged about 51 years, Occ. ARSI-11, O/o 5th Bn TGSP, Chalcwai, Mulugu Dist., R/o H.No.3-103, Marripally Nilayam, Narsingi, Gandipet, Ranga Reddy District.
4. B. Shivaiah, S/o B. Jambuliah, Aged about 53 years, Occ. ARSI-9, O/o 5th Bn TGSP, Chalcwai, Mulugu Dist., R/o Plot No.223, JB Saram City, 4th Place, Kanyapally (Vil), Ibrahimpatnam, Ranga Reddy District
5. T. Venkateshwarlu, S/o T. Chinna Ayyanna, Aged about 51 years, Occ. ARSI-10, O/o 5th Bn TGSP, Chalcwai, Mulugu Dist., R/o H.No.8-6-146-147, B.C.Colony, Near Pragathi Vidyaneketan, Gadwal, Jogulamba Gadwal District
6. G. Chinna Narasimhulu, S/o G. Pedda Swamy, Aged about 54 years, Occ. ARSI-37, O/o 6th Bn TGSP, R/o 1-54, Timnapur Vil, Alampur, Jogulamba Gadwal
7. P. Vijaya Kumar, S/o P. Balaswamy, Aged about 52 years, Occ. ARSI-40, O/o 6th Bn TGSP, Kothagudem, R/o H.No.10-104/10/11, Peerzadiguda, Hyderabad
8. B. Anjaneyulu, S/o B. Padmanabam, Aged about 50 years, Occ. ARSI-50, O/o 6th Bn TGSP, Kothagudem, R/o Plot No.109, Senthangreen park, Near Brindavan teacher colony, Amenpur
9. R. Radha Krishna, S/o R. Sailu, Aged about 48 years, Occ. ARSI-50, O/o 2nd Bn TGSP CZC-1, R/o H. No.7-29/1, Teikapally (Vil and Mdl), Nagar Kurnool District.
10. K. Shekar Redy, S/o K. Masi Reddy, Aged about 52 years, Occ. ARSI-12, O/o 6th Bn TGSP Kothagudem, R/o H. No.7-67, Kistareddy peta, Pebbair, Wanaparthy District.

11. Syed Khaza Zahiruddin, S/o Syed Naseeruddin, Aged about 49 years, Occ. ARSI-38, 0/o 6t Bn TGSP, Kothagudem, R/o H.No.8-5-2/2/103, Suban Colony, Bandlaguda, Ranga Reddy District
12. Abdul Aleem, S/o Abdul Ishaq, Aged about 50 years, Occ. ARSI-35, 0/0 6th Bn TGSP, R/o H.No.8-4-68/4/9/7, Ali Nagar, Bandlaguda, Hyderabad
13. B. Ravinder, S/o B. Keshanna goud, Aged about 55 years, Occ. ARSI-41, 0/o 6th Bn TGSP, R/o H.No.2-64, Revalli (Mdl), Wanaparthy District

...APPELLANTS

AND

1. The State of Telangana, Rep., by its Principal Secretary, Home (Services-V) Dept., Secretariat, Hyderabad.
2. The State of Telangana, Rep., by its Chief Secretary, General Administration (SPF.II) Department (GAD), Secretariat, Hyderabad
3. The Director General and Inspector General of Police, , Telangana Special Police (TGSP), Hyderabad
4. The Additional Director General of Police (BNS), TGSP, Shaurya Bhavanam, Hyderabad.
5. The Commandant, 5th Btn, TGSP (IR), Warangal District.
6. The Commandant, 6th Btn, TGSP, Kothagudem, Kamam District.
7. The Commandant, 2nd Btn, TGSP, Adilabad District.
8. The Commandant, 10th Bn, TGSP, Beechpally, Gadwal District.

...RESPONDENTS

IA NO: 2 OF 2026

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 operation of the orders passed in WP.No.34648 of 2024, dated. 23.01.2026.

IA NO: 3 OF 2026

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 operation of impugned G.O.Ms.No.33 Home (Legal) Department, dt. 15.05.2023, issued by the 1st Respondent and consequential allotment orders vide Proc., No. A2/1270/2024-356,320,148, 133,135,339,343,350, 321,264,354,336, 337, 150,331 dt. 18.10.2024 and Proc. Rc.No. 1270/A2/ 2024-356, 320,148, 133, 135, 339, 343,350,321,264,354,336,337,150,331 dt.

18.10.2024, issued by the 3rd Respondent, with a further direction to consider the case of the Petitioners for posting in the existing vacancies available in CZC-II.

Counsel for the Appellant : SRI POODATTU AMARENDER

**Counsel for the Respondents: SRI S.RAHUL REDDY, SPL.GP
in the office of the ADDL ADVOCATE GENERAL**

The Court made the following: JUDGMENT

**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.234 of 2026

DATE: 26.02.2026

Between:

K.Narender Reddy and 12 others.

....Appellants

And

The State of Telangana,
represented by its Principal Secretary,
Department of Home (Services-V), Secretariat,
Hyderabad and 7 others.

....Respondents

JUDGMENT

Heard Sri P.Amarender, learned counsel for the appellants and Sri S.Rahul Reddy, learned Special Government Pleader in the office of the Additional Advocate General appearing for the respondents and perused the record.

2. This writ appeal, preferred under Clause 15 of the Letters Patent, assails the order dated 23.01.2026 passed by the learned Single Judge in W.P.No.34648 of 2024. By the said order, the learned Single Judge dismissed the writ petition filed by the appellants herein, challenging G.O.Ms.No.33, Home (Legal) Department, dated 15.05.2023, and the consequential allotment orders dated 18.10.2024 issued by respondent No.3. The appellants had also sought a

direction to the respondents to allot them to Contiguous Zonal Cadre-II (CZC-II) in accordance with the options exercised by them.

Factual background (in brief)

3. The appellants were initially appointed as Police Constables in the 10th (IR) Battalion, APSP, Beechpally, in the erstwhile Mahabubnagar District (presently Gadwal District) in the year 1995. They belong to the erstwhile Zone-VI, particularly Mahabubnagar District. In due course, the appellants were promoted as Head Constables during the period 2002-2005.

4. On 05.01.2018, by proceedings issued by the Inspector General of Police (IG), Telangana State Special Police Battalions (TSSPB), Hyderabad, the appellants, who were then working as Head Constables in the 10th Battalion, were transferred on a temporary basis to newly formed IR Battalions.

5. Pursuant thereto, appellant Nos.1, 2, 6, 7, 8, 10, 11, 12 and 13 were transferred to the 6th Battalion; appellant Nos.3, 4 and 5 to the 5th Battalion; and appellant No.9 to the 2nd Battalion. Shortly thereafter, on 31.01.2018, the appellants were promoted to the post of Assistant Reserve Sub-Inspectors (ARSIs).

6. Subsequently, the Telangana Public Employment (Organization of Local Cadres and Regulation of Direct Recruitment) Order, 2018 (for short "Presidential Order, 2018") was issued by the President of India on 29.08.2018 and republished by the State Government *vide*

G.O.Ms.No.124 dated 30.08.2018. In terms of para 3(1) of the said Order, which required the State Government to organize local cadres within 36 months, the Government issued G.O.Ms.No.172, General Administration (SPF-II) Department, dated 04.08.2021, whereby the posts of Head Constables and ARSIs in the TSSPB were organized into Contiguous Zonal Cadres (CZCs), namely CZC-I and CZC-II.

7. Thereafter, guidelines for allotment of personnel to the newly organized local cadres were issued *vide* G.O.Ms.No.317, General Administration (SPF-I) Department, dated 06.12.2021. In accordance with the said guidelines, the appellants submitted their option forms seeking allotment to Contiguous Zonal Cadre-II (CZC-II), which comprises Zone-V (Yadadri), Zone-VI (Charminar) and Zone-VII (Jogulamba), covering the area of their native Mahabubnagar District.

8. However, the Government subsequently issued G.O.Ms.No.33, Home (Legal) Department, dated 15.05.2023, approving a proposal of the Director General of Police (DGP) that allotment of personnel in the TSSPB to the newly organized local cadres be made with reference to the territorial location of the Battalion in which they were serving, having regard to administrative exigencies. Consequent thereto, the 3rd respondent, by proceedings dated 18.10.2024, allotted the appellants to CZC-I.

9. Aggrieved thereby, the appellants instituted W.P.No.34648 of 2024 challenging the said Government Order and the consequential

allotment proceedings. The learned Single Judge, upon consideration of the matter, dismissed the writ petition by order dated 23.01.2026. Aggrieved by the said order, the present writ appeal has been filed.

Submissions on behalf of the appellants

10. Learned counsel appearing for the appellants assailed the order dated 23.01.2026 passed by the learned Single Judge and has advanced his submissions as under:

- i. That G.O.Ms.No.33, Home (Legal) Department, dated 15.05.2023 was issued beyond the period of 36 months stipulated under para 3(1) of the Presidential Order, 2018. That while the organization of local cadres was completed through G.O.Ms.No.172 dated 04.08.2021 within the stipulated time, the subsequent issuance of G.O.Ms.No.33 effectively altered the basis of allotment of personnel and was therefore impermissible under the Presidential Order.
- ii. That after the expiry of the prescribed period, any modification relating to the organization of local cadres could be effected only by the President of India and not by the State Government.
- iii. That the allotment of personnel was required to be undertaken strictly in accordance with the guidelines issued in G.O.Ms.No.317 dated 06.12.2021, which contemplated preparation of seniority lists, calling for

options from employees, and effecting allotment with due regard to such options and seniority. That the appellants had exercised their option for allotment to Contiguous Zonal Cadre-II (CZC-II), but were nevertheless allotted to CZC-I, thereby defeating the very purpose of the option process.

- iv. That several persons junior to the appellants were continued in the 10th Battalion, which falls within CZC-II, thereby rendering the impugned allotment arbitrary and discriminatory.
- v. That under the Special Rules issued in G.O.Ms.No.69, Home (Police-D) Department, dated 07.04.1997, each Battalion constitutes a unit for appointment and promotion up to the cadre of ARSIs, and thus the respondents were not justified in treating the appellants as having been appointed against State-level vacancies.
- vi. That the respondents themselves had admitted in their counter affidavit that the appellants belong to CZC-II by virtue of their domicile in the erstwhile Zone-VI, and therefore, the relief ought to have been granted, and although options were called for, the appellants were ultimately retained in the same Battalions in which they were serving, which defeats the object of the allotment process envisaged under the Presidential Order.

vii. In support of the above submissions, reliance was placed on the decisions of the erstwhile High Court of Andhra Pradesh in ***Government of A.P. v. P. Vema Reddy***¹ and ***Dr. M. Vasurchana Reddy v. State of Telangana***².

Submissions on behalf of the Respondents

11. Learned Special Government Pleader for the respondents supported the order dated 23.01.2026 passed by the learned Single Judge and has advanced the submissions as under:

- i. That the posts in the SPBs have historically been treated as State-level posts, and in this regard, reliance was placed on the notification issued by the Government of India in G.S.R. 529(E) dated 18.10.1975, whereby organizing such posts into local cadres under the Presidential Order of 1975 was declared impracticable. Consequently, recruitment to the Battalions was made on a State-wide basis, and therefore, the appellants cannot claim any right of allotment based on their local candidature.
- ii. That the appellants had voluntarily accepted their transfer from the 10th Battalion to the newly created Battalions in the year 2018 and were promoted as ARSIs only thereafter, as there were no vacancies in the 10th

¹ 2007 (4) ALD 209

² W.P.No.9829 of 2018 dated 09.04.2018

Battalion at that time. Having accepted such transfer and promotion, the appellants cannot now seek allotment to CZC-II on the basis of their earlier posting.

- iii. That the mandate under Para 3(1) of Presidential Order-2018 was only to organize the local cadres within 36 months, which requirement was duly complied with by issuing G.O.Ms.No.172 dated 04.08.2021, and the said timeline does not apply to the subsequent allotment of personnel, which is governed by Para 4 of the Presidential Order. Therefore, the issuance of G.O.Ms.No.33 dated 15.05.2023 for facilitating allotment of personnel cannot be said to be contrary to the Presidential Order.
- iv. That the said Government Order was issued keeping in view administrative exigencies and the operational requirements of the SPBs. The DGP had proposed that personnel be allotted with reference to the territorial location of the Battalion in which they were serving, so as to avoid fragmentation of Battalions and to maintain administrative efficiency. The said proposal was accepted by the Government and implemented uniformly.
- v. That G.O.Ms.No.33 does not redefine or alter the local cadre structure approved under G.O.Ms.No.172, but merely indicates the Battalions falling within each CZC for the purpose of allotment. It was also contended that

the allegation that juniors were allotted to CZC-II was unfounded, particularly when no such persons were impleaded as parties to the proceedings.

- vi. That under Para 4 of Presidential Order-2018, while preference of employees is a relevant factor, it is only one among several considerations such as administrative requirements, balanced composition of cadres, length of service, and other relevant factors, and therefore the State Government is not bound to allot employees strictly in accordance with their preferences.

- 12. We have taken note of the respective contentions urged by both the learned counsel.

Consideration by this Court

- 13. The fulcrum of the appellants challenge is that G.O.Ms.No.33 was issued beyond the 36-month period stipulated in para 3(1) of the Presidential Order-2018, and therefore, the State Government lacked the power to issue the same. For adjudication of this contention, it is necessary to examine the scheme of the Presidential Order, 2018, particularly the distinction between “organisation of local cadres” and “allotment of persons.”

- 14. Para 3(1) of the Presidential Order, 2018 reads as under:

3. Organisation of Local cadres.

(1) The State Government shall, within a period of 36 months from the commencement of this Order, organise classes of posts in the civil

services of, and classes of civil posts under the State into various local cadres for different parts of the State to the extent and in the manner, hereinafter provided:

Provided that, notwithstanding the expiration of the said period, the President may by order, require the State Government, whenever he considers it expedient to do so, to organise any classes of posts in the civil services of and classes of civil posts under the State into different local cadres or different parts of the State.

15. A plain reading of the aforesaid provision indicates that the obligation cast upon the State Government is to "organise" the posts into local cadres; namely, to identify the categories of posts constituting a local cadre and to define the territorial limits of such cadres. The proviso empowers the President to require the State Government to organise posts into local cadres even after the expiry of the said period. However, the proviso does not, by implication, divest the State Government of its power to issue incidental or consequential orders relating to the allotment of persons to such cadres.

16. In the present case, the State Government complied with the mandate of paragraph 3(1) by issuing G.O.Ms.No.172 dated 04.08.2021, approving the scheme for organisation of local cadres in the TSSFB. Under the said Government Order, the posts of Head Constables and ARSIs were organised into CZC-I and CZC-II. It is not in dispute that this exercise was undertaken within the prescribed period of 36 months.

17. It is to be noted that the impugned G.O.Ms.No.33, on the other hand, does not purport to reorganise the local cadres or alter the composition of CZC-I or CZC-II as defined in G.O.Ms.No.172. It

merely prescribes the mechanism for allotment of personnel to the already organised cadres. Para 4 of the said Government Order records the proposal of the DGP that allotment may be undertaken with reference to the territorial location of the Battalions and the administrative needs and exigencies of the organisation. This exercise falls within the ambit of para 4 of the Presidential Order, 2018, which deals with the allotment of persons. The said para 4 of the Presidential Order-2018 reads as under:

4. Allotment of Persons.

(1) Persons holding posts required to be organized into local cadres shall be allotted to such cadres by the State Government or any officer or authority authorised by it in this behalf in accordance with the principles and procedure hereinafter specified.

(2) In allotting persons to local cadres due regard shall be had to all or any of the following namely:-

(a) the administrative needs of the posts in the local cadres;

(b) the need for the composition of balanced local cadres with reference to age and seniority groups;

(c) the length of service of the persons concerned in the part of the State for which the local cadre is organized;

(d) knowledge of the persons concerned of the language spoken and the law in force in the part of the State for which the local cadre is organized;

(e) preference of the persons concerned for allotment to any local cadre, where feasible.

(3) The State Government may, in respect of different departments and different categories of posts, constitute committees to advise on the allotment of persons to local cadres.

(4) Any person aggrieved by an order allotting him to any local cadre may submit a representation to the State Government within a period of sixty days from the date of communication of the order.

(5) The State Government shall on receipt of such representation and after consultation with the appropriate committee constituted under sub-paragraph (3) make such order as it deems fit:

Provided that wherever such an order is likely to result in the change of allotment of any other person, no such order shall be made without giving an opportunity to that other person to make a representation.

(6) Every order passed by the State Government under sub-paragraph (5) shall, subject to the provisions of clause (3) of article 371-D of the Constitution of India, be final.

(7) Notwithstanding the provisions contained in the above sub-paragraphs, the State Government may continue the persons holding posts required to be organized into local cadres, in their existing cadres localized under the Andhra Pradesh Public Employment (Organization of Local Cadres and Regulation of Direct Recruitment) Order, 1975 as adopted for Telangana State.

18. A reading of the aforesaid para 4 would indicate that it does not prescribe any time limit for the process of allotment. The process of allotment is distinct from the process of organisation and is consequential to the formation of cadres. The absence of a statutory time limit clearly indicates that the 36-month period stipulated in para 3 applies only to the organisation of cadres and not to the subsequent allotment of personnel. The reliance placed by the appellants on the decision in **Dr. M. Vasurchana Reddy** (supra 2) is misplaced. The said decision was rendered in a different factual context and does not lay down the proposition that all consequential orders relating to allotment must necessarily be issued within the 36-month period contemplated under para 3(1). Therefore, the contention of the appellants that G.O.Ms.No.33 is *ultra vires* the Presidential Order, 2018 does not merit consideration.

19. Further, the allotment of personnel being effected in violation of the guidelines contained in G.O.Ms.No.317 and in disregard of the options exercised by them for allotment to CZC-II, necessitates an

examination of the interplay between G.O.Ms.No.317 and G.O.Ms.No.33, which prescribes the general framework for allotment of employees to local cadres and the allotment of personnel in the SPBs.

20. It is pertinent to note that the G.O.Ms.No.317 dated 06.12.2021 prescribes the general framework for allotment of employees to the newly organised local cadres across various departments. It envisages preparation of seniority lists, calling for preferences from employees, and effecting allotment based on seniority where the number of preferences exceeds the available posts. However, para 5 of the said G.O. authorises the Allotment Committees to scrutinise the preferences keeping in view the provisions of para 4 of the Presidential Order, 2018. Paragraph 4(2) thereof enumerates the factors to be taken into consideration while allotting persons to local cadres, the foremost being the administrative needs of the posts in the local cadres. The preference of the employee is only one among the factors and is to be accommodated "where feasible".

21. Subsequently, taking into account the peculiar nature of the SPBs, the Government issued G.O.Ms.No.33. The DGP informed the Government that personnel posted to a Battalion ordinarily continue to serve in that Battalion and that the strength of such Battalions had been aggregated into the respective cadres. It was therefore proposed that allotment be made with reference to the territorial location of the

Battalion, having regard to administrative needs and operational exigencies. The Government accepted the said proposal.

22. It is also to be noted that the tabular statement contained in G.O.Ms.No.33 specifies the Battalions falling under each local cadre. Thus, the 2nd, 4th, 5th, 6th, 7th, 13th and 17th Battalions were placed under CZC-I, whereas the 1st, 3rd, 8th, 10th and 12th Battalions were placed under CZC-II. Since the appellants were working in the 2nd, 5th and 6th Battalions at the relevant time, they were accordingly allotted to CZC-I. The said relevant portion of the G.O.Ms.No.33 is extracted hereunder:

5. Details of the Battalions falling in Contiguous District Cadre - I & II, Contiguous Zonal Cadre - I & II and Multi Zonal Cadre - I & II are as shown below:

TABLE - I

Local Cadre	Districts	Battalions
Contiguous District - I	1) Bhupalapalli-Jayashankar 2) Asifabad-Komarambheem 3) Ramagundam Police Commissionerate 4) Mulugu 5) Adilabad 6) Nirmal 7) Nizamabad Police Commissionerate 8) Jagtial 9) Karimnagar Police Commissionerate 10) Siddipet Police Commissionerate 11) Siricilla-Rajanna 12) Kamareddy 13) Medak 14) Kothagudem-Bhadradi 15) Khammam Police Commissionerate 16) Mahabubabad and 17) Warangal Police Commissionerate	2 nd IR Bn TSSP, Adilabad. 4 th Bn TSSP, Mamnoon, Warangal. 5 th IR Bn TSSP, Mulugu. 6 th IR Bn TSSP, Bhadradi Kothagudem. 7 th Bn TSSP, Dichpally, Nizamabad. 13 th IR Bn TSSP, Gudipet, Mancherial. 17 th Bn TSSP, Rajanna Siricilla.
Contiguous District - II	1) Suryapet 2) Nalgonda 3) Rachakonda Police Commissionerate 4) Hyderabad Police Commissionerate 5) Cyberabad Police Commissionerate 6) Sangareddy 7) Vikarabad 8) Mahabubnagar. 9) Narayanpet 10) Wanaparthy 11) Gadwal-Jogulamba 12) Nagarkurnool	1 st Bn TSSP, Yousufguda, Hyderabad. 3 rd IR Bn TSSP, Ibrahimpatnam, Rangareddy. 8 th Bn TSSP, Kondapur, Rangareddy. 10 th Bn TSSP, Beechpally, Jogulamba Gadwal. 12 th Bn TSSP, Nalgonda.

6. The details of the Battalions falling in the Contiguous Zone - I & II and Multi Zone - I & II is mentioned below:

TABLE - II

Local Cadre	Zones	Battalions
Contiguous Zone - I & Multi Zone - I	Zone-I (Kaleswaram), Zone-II (Basara), Zone-III (Rajanna), Zone-IV (Bhadradi)	2 nd IR Bn TSSP, Adilabad. 4 th Bn TSSP, Mamnoon, Warangal. 5 th IR Bn TSSP, Mulugu. 6 th IR Bn TSSP, BhadradiKothagudem. 7 th Bn TSSP, Dichpally, Nizamabad. 13 th IR Bn TSSP, Gudipet, Mancherial. 15 th Bn TSSP, Sathupally, Khammam (for RIs only). 17 th Bn TSSP, Rajanna Sircilla.
Contiguous Zone - II & Multi Zone - II	Zone-V (Yadadri), Zone-VI (Charminar), Zone-VII (Jogulamba)	1 st Bn TSSP, Yousufguda, Hyderabad. 3 rd IR Bn TSSP, Ibrahimpatnam, Rangareddy 8 th Bn TSSP, Kondapur, Rangareddy. 10 th Bn TSSP, Beechpally, Jogulamba Gadwal 12 th Bn TSSP, Nalgonda.

23. It is pertinent to note that the appellants had themselves voluntarily accepted transfer to these Battalions in 2018 and had been serving therein for several years prior to the issuance of the allotment orders. In such circumstances, the adoption of the territorial location of the Battalion as the basis for allotment cannot be characterised as arbitrary or illegal. The criterion bears a direct nexus with the administrative requirements of the organisation.

24. Insofar as the alleged violation of the guidelines contained in G.O.Ms.No.317 is concerned, it appears that the prescribed procedure was substantially followed. Options were indeed called for and the appellants submitted their preferences. However, the Allotment Committee, taking into account the administrative requirements and the special operational structure of the TGSP organisation, adopted the criterion of territorial location of the Battalion. Such an approach is permissible under para 4 of the Presidential Order, 2018. The guidelines contained in G.O.Ms.No.317 are administrative in nature

and operate subject to the overriding provisions of the Presidential Order. It is well settled that in matters relating to policy and administrative exigencies in service jurisprudence, the scope of judicial review is limited. Unless the decision is shown to be manifestly arbitrary, irrational or actuated by *mala fides*, the Court would be slow to interfere.

25. In the present case, the respondents have furnished a reasonable explanation for adopting the criterion of territorial location. SPBs function as cohesive operational units, with personnel working collectively within the same formation. Any bifurcation of such units solely on the basis of individual preferences could adversely affect operational efficiency and discipline. Therefore, the decision to allot personnel with reference to the location of the Battalion constitutes a reasonable administrative policy.

26. Furthermore, the contention that the appellants were appointed to the 10th Battalion by treating each Battalion as a separate unit and, therefore, claim a right to be allotted to CZC-II, within which the 10th Battalion falls is misconceived for the following reasons:

- i) Firstly, it is evident that recruitment to the SPBs was undertaken on a State-wide basis and not with reference to individual Battalions as separate cadre units. Though candidates were posted to particular Battalions based on merit and preference, the appointment itself was to a State-level post,

the Battalion functioning merely as a posting unit. This position has also been reiterated in the counter affidavit and has not been controverted by the appellants. The Special Rules contained in G.O.Ms.No.69 relied upon by the appellants relate only to the appointing authority and service conditions and do not alter the State-level character of the post.

- ii) Secondly, the conduct of the appellants contradicts their present claim. In 2018, appellants voluntarily sought transfer from the 10th Battalion to the newly formed 2nd, 5th and 6th Battalions to secure promotion to the post of ARSI, as no vacancies were available in the 10th Battalion. Having accepted such transfers and availed the consequential benefit of promotion, appellants cannot now claim a vested right to be posted back to their alleged "native" Battalion or to CZC-II.
- iii) Thirdly, the concept of a "local candidate" under the Presidential Order, 2018 is primarily relevant in the context of direct recruitment. Para 7 of the Presidential Order defines the expression "local candidate" for that purpose. The allotment of existing employees, however, is governed by para 4 of the Presidential Order, which, as noticed earlier, requires due regard to be given primarily to administrative needs, with the preference of the employee being only one of the factors to be considered where feasible.

27. It is to be noted that the learned Single Judge has rightly held by taking note of the fact that the appellants had failed to implead the alleged juniors who were stated to have been favoured in the allotment process, which is fatal in a challenge founded on discrimination. At the same time, while dismissing the writ petition, the learned Single Judge directed the respondents to consider the representations of the appellants in accordance with law. Therefore, we find no infirmity in the order passed by the learned Single Judge warranting interference by this Court.

Conclusion

28. For the foregoing reasons, this Court is of the considered opinion that G.O.Ms.No.33 dated 15.05.2023 does not suffer from any legal infirmity and cannot be said to be *ultra vires* the Presidential Order, 2018, as it constitutes a valid exercise of power under para 4 relating to allotment of personnel and is not controlled by the 36-month period prescribed in para 3 for the organization of local cadres. The allotment of the appellants to CZC-I, based on the territorial location of the Battalions, is a reasonable and administratively justified criterion. The procedure contemplated under G.O.Ms.No.317 was substantially followed and any deviation therefrom stands justified in view of the administrative requirements of the SPBs. We, therefore, find no infirmity in the order passed by the learned Single Judge warranting interference.

29. Accordingly, the Writ Appeal is dismissed. The order dated 23.01.2026 passed in W.P.No.34648 of 2024 is affirmed. It is clarified that this judgment shall not preclude the appellants from submitting the representations to the competent authorities regarding any posting-related grievances within their allotted cadre, which shall be considered in accordance with the applicable rules and policy.

As a sequel, miscellaneous petitions, pending if any, stand closed. No costs.

SD/- MOHD. ISMAIL
DEPUTY REGISTRAR

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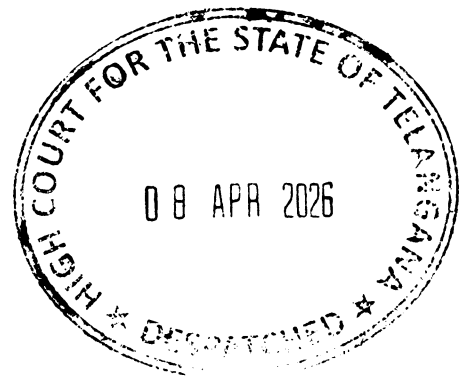
BSK

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HIGH COURT

DATED:26/02/2026



JUDGMENT

WA.No.234 of 2026

**DISMISSING THE WRIT APPEAL
WITHOUT COSTS**

⑥ - JKS
4/4/26