

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

THURSDAY, THE SIXTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY SIX

PRESENT

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

WRIT PETITION NO: 35962 OF 2018

Between:

Dr. G. Surendar Reddy, S/o: Late Venkat Reddy, Aged 65 years, Deputy Collector and Tahsildar (Retd.), Saroornagar Mandal, R.R. District Habsiguda, Road No. 8, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, rep. by its Principal Secretary, Revenue Department, Telangana Secretariat, Hyderabad - 500 022.
2. The State of Andhra Pradesh, rep. by its Principal Secretary Revenue Department, A.P. Secretariat, Velagapudi, Amaravathi (Post), Guntur District, A.P.
3. The Special Secretary and Chief Commissioner, Land Administration, Nampally Road, Telangana State, Hyderabad - 500 001.
4. The Special Secretary and Chief Commissioner, Land Administration, A.P. State, Vijayawada.

...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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to call for the records relating to issuance of the impugned proceedings Memo No.7969/Ser.I/2015 dated 26/02/2018 of the 1st respondent, declare the same as illegal, arbitrary and further unconstitutional having far reaching effects on the accrued rights of the petitioner, set aside the same as such and

consequently direct the respondents to take all those necessary steps that are warranted to pass appropriate proceedings appointing the petitioner as Special Grade Deputy Collector from the date on which his juniors Smt. C.V. Lakshmi, Sri J. Sudhakar Rao, Sri V.L. Surender Karan and Sri A. Rajeswara Reddy were promoted as such with all consequential benefits .

I.A. NO: 1 OF 2018

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 impugned proceedings Memo No.7969/Ser.I/2015 dated 26/02/2018 of the 1st respondent duly directing the respondents to take all those necessary steps that are warranted to pass appropriate proceedings appointing the petitioner as Special Grade Deputy Collector from the date on which his juniors Smt. C.V. Lakshmi, Sri J. Sudhakar Rao, Sri V.L. Surender Karan and Sri A. Rajeswara Reddy were promoted as such, pending disposal of writ petition.

Counsel for the Petitioner: SRI. K RAM REDDY

**Counsel for the Respondent Nos.1 and 3: SRI RAHUL REDDY, SPECIAL GP
ATTACHED TO THE OFFICE OF LEARNED ADDL ADVOCATE GENERAL
Counsel for the Respondent Nos.2 and 4: SRI B. RAJESWAR REDDY,
GP FOR STATE OF ANDHRA PRADESH**

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. 35962 of 2018

DATED : 16.07.2026

Between:

Dr. G. Surendar Reddy,

... Petitioner

AND

The State of Telangana,
Rep., by its Principal Secretary, Revenue Department,
Telangana Secretariat, Hyderabad and 3 others.

... Respondents

ORDER:

Mr. K. Ram Reddy, learned counsel appears for the petitioner.

Mr. Dominic Fernandes, learned *Amicus Curiae*.

Mr. S. Rahul Reddy, learned Special Government Pleader attached to the office of learned Additional Advocate General, appears for respondent Nos.1 and 3.

Mr. B. Rajeshwar Reddy, learned Government Pleader for the State of Andhra Pradesh, appears for respondent Nos.2 and 4.

2. The petitioner is dissatisfied with the impugned proceedings dated 26.02.2018 issued by respondent No.1, whereby his representation to empanel him in the Special Grade Deputy Collector from the date on which his juniors were included has been declined on the ground that he had not completed the

minimum period of three years of service in the regular post of Deputy Collector from 01.12.2009 (Sl.No.396 in the seniority list dated 10.04.2017) till his date of retirement on 31.12.2011 and also on the ground that the Government of Telangana may not be the competent authority to fix the seniority of the officers in the cadre of the Deputy Collectors/Special Grade Deputy Collector, who worked and retired prior to formation of Telangana. The impugned order also records that the contention of the petitioner that his four juniors were granted Special Grade Deputy Collector cadre could not be verified as the Government of Andhra Pradesh, which is the competent authority to prepare it in respect of those officers prior to 02.06.2014, had not communicated the same.

3. The grievance of the petitioner stems from the direction of the learned State Administrative Tribunal in O.A.No.7192 of 2011, which was disposed of with the following direction:

"5. Having regard to the facts and circumstances obtaining in this case, the O.A., is disposed of with a direction to the respondents to consider to include the name of the applicant in the Special Grade Deputy Collectors' panel from the date on which his juniors names, as stated in the representation dated 24.05.2011, were included and pass appropriate orders with all consequential benefits within a period of eight weeks from the date of receipt of a copy of this order. No costs."

Upon rejection of his representation by the impugned order, the present writ petition was filed.

4. Considering the rival stand of the successor States as to who would be the competent authority, this Court appointed Mr. Dominic Fernandes, learned counsel practicing in this Court, as *Amicus Curiae* to assist the Court.

5. Learned *Amicus Curiae* has taken this Court to the decisions rendered in respect of various Reorganization Acts. The judgments of the Hon'ble Jharkhand High Court in **Bhupendra Singh vs. State of Jharkhand and others¹**, **Bipin Bihari Singh vs. The State of Jharkhand and others²**, **Sushil Ignatius Minz vs. The State of Jharkhand and others³**, **Balajee Pandey vs. The State of Bihar and others⁴** and **State of Bihar vs. Arvind Vijay Bilung and others⁵**, the judgments of the Hon'ble Supreme Court in **Sushil Ignatius Minz vs. State of Jharkhand⁶**, **Sushil Ignatius Minz vs. State of Jharkhand⁷** and **S. Sarala Vandhanam vs. State of A.P.⁸**, the judgment of the Hon'ble Uttaranchal High Court in **Hanuman Singh Nabiyaal vs. State of Uttaranchal⁹**, the judgment of the Hon'ble Punjab and Haryana High Court in **Avtar Singh vs. State of Punjab¹⁰** and the judgment of the erstwhile Hon'ble High Court for the State of Telangana and the State of Andhra Pradesh in **M. Hanumantha Rao vs. State of A.P. and batch¹¹**.

6. One fact which is relevant to be taken note of herein is that a disciplinary proceeding was initiated against the petitioner prior to the bifurcation of the parent State which stood concluded by his exoneration. The State of Telangana exonerated the petitioner as the disciplinary authority as per the Circular Memo

¹ MANU/JH/0831/2009

² MANU/JH/0417/2011

³ MANU/JH/0543/2011

⁴ MANU/JH/0891/2012

⁵ MANU/JH/0145/2002

⁶ SLP.No.29420 of 2011

⁷ Review in R.P.(C) No.1499 of 2016 in SLP.No.29420 of 2011

⁸ MANU SCOR 09007 2022

⁹ MANU/UC/0527/2005

¹⁰ MANU/PH/1342/1988

¹¹ MANU/AP/0040/2018

No.216015/Ser.C/A1-2020-1, dated 05.10.2020. Para 3 thereof is quoted hereunder:

"The Government have examined the issue keeping in view of the Telangana Civil Services (C&A) Rules, 1991, provisions of A.P. Reorganization Act, 2014 and relevant judgments of State of Bihar vs. Arvind Vijay Bilung and Bhupendra Singh Vs. State of Jharkhand and others in W.P.No.6621 of 2005, orders, dated 06.11.2009, Jharkhand High Court and it is clarified that the Government of Telangana shall be appointing and disciplinary authority in respect of the employees who as on appointed day is serving, posted and allocated to the State of Telangana. "This is irrespective of the accrual of cause of action at any point of time before the appointed day or the place where such cause of action occurred."

7. The petitioner though had retired prior to the bifurcation of the State, but from the territory falling in the successor State of Telangana. By virtue of the said memo, the competent authority under Government of Telangana was treated as the disciplinary authority. In such background, the question as to who is the competent authority recedes into insignificance. The second question that arises for consideration is whether the claim of the petitioner for being empanelled in the Special Grade Deputy Collector panel on the ground that his juniors were empanelled as such, has to be examined in the context of the applicable rules, which is Rule 7 of the Telangana Civil Service (Executive Branch) Rules, 2024. The said Rule provides a minimum service of three years in the cadre of Deputy Collector for being eligible to be empanelled as Special Grade Deputy Collector. Since the seniority of the petitioner in the cadre of Deputy Collector was fixed with effect from 01.12.2009, he had not completed the minimum service of three years by the date of his retirement i.e., 31.12.2011. As such, the claim of the petitioner for grant of Special Grade Deputy Collector on the basis of his

submission that certain juniors to him were granted the said grade would also not hold good.

8. In such circumstances, we are of the view that no relief as prayed for can be granted in the present writ petition. Therefore, the instant writ petition is disposed of. While parting, we convey our appreciation for the learned *Amicus Curiae* for assisting this Court in able manner in deciding the issue. No order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

//TRUE COPY//

SD/- S. MALLIKARJUNA RAO
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Telangana Secretariat, The State of Telangana, Hyderabad - 500 022.
2. The Principal Secretary Revenue Department, The State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Amaravathi (Post), Guntur District, A.P.
3. The Special Secretary and Chief Commissioner, Land Administration, Nampally Road, Telangana State, Hyderabad - 500 001.
4. The Special Secretary and Chief Commissioner, Land Administration, A.P. State, Vijayawada.
5. One CC to Sri K. Ram Reddy, Advocate [OPUC]
6. Two CCs to GP for State of Andhra Pradesh, High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CCs to Additional Advocate General, High Court for the State of Telangana, at Hyderabad [OUT]
8. Two CD Copies

TJ

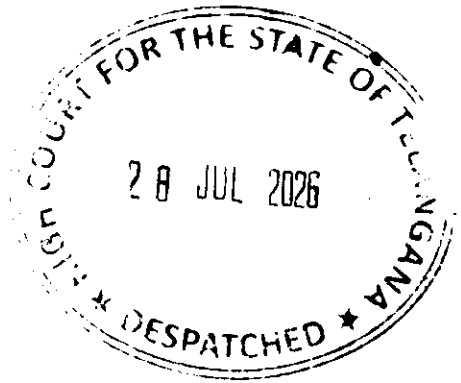
GJP
PMQ.

HIGH COURT

DATED: 16/07/2026

ORDER

WP.No.35962 of 2018



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(12) PMG
25/7/26