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

THURSDAY, THE TWENTY FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

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

WRIT PETITION NO: 24609 OF 2025

Between:

Nukala Santhosh Kumar, S/o: Late Nukala Nagaraju, aged about 41 years, working as Senior Assistant, Area Hospital, Zaheerabad, Sangareddy District.

...PETITIONER

AND

1. The Union of India, Represented by its Secretary, Department of States Ministry of Home Affairs New Delhi.
2. The Union of India, Represented by its Secretary, Legislative Department Ministry of Law and Justice New Delhi.
3. The State of Telangana, Represented by its Chief Secretary General Administration Department, Secretariat, Hyderabad.
4. The State of Telangana, Represented by its Principal Secretary, Medical Health and Family Welfare Department Secretariat, Hyderabad.
5. The Telangana Vaidya Vidhana Parishad, represented by its Commissioner, DM&HS Campus, Sultan Bazar, Hyderabad.

...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 Writ, order or orders or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in amending the clauses (1) and (3) of Article 371 (D) of the Constitution of India with the provisions of minor Act i.e., Section 97 of the Andhra Pradesh State Reorganization Act, 2014 without following the mandatory provisions of Article 368 of the Constitution of India and the consequential Telangana Public Employment (Organization of the Local Cadres and Regulations of direct recruitment) Order,

2018 notified in G.S.R.820 (E), dated 29-08-2018 which was adapted by the Telangana Government vide G.O.Ms. No. 124 General Administration Department (SPF - MC Department) dated 30-08-2018, consequential amendment issued to the Presidential Order vide G.S.R. No.279 (E) dated 16-04-2021 notified vide G.O.Ms.No.128 General Administration (SPF-I) Department, dated 30-06-2021 G.O.Ms.No.179, General Administration (SPF-I) Department, dated 04-08-2021, G.O.Ms. No. 317 General Administration Department SPF - 1 Department, dated 06-12-2021 issued by 3rd respondent, Memo No. 11743/1/2022, dated 25-06-2024 issued by the 4th respondent and Proc.Rc.No.45/G/2014-71, dated 16-07-2025 issued by the 5th respondent as void ab initio, arbitrary, illegal, unjust and procedurally and substantively ultra vires and the same is violative of fundamental rights guaranteed under Articles 14, 16, 21 and the procedure for amendment of the Constitution under Article 368 and clause (10) of Article 371 (D) of the Constitution of India and consequentially strike down the amendment of Article 371 (D), consequential the Telangana Public Employment (Organization of the Local Cadres and Regulations of direct recruitment) Order, 2018, notified in G.S.R.820 (E), dated 29-08-2018 which was adapted by the Telangana Government vide G.O.Ms. No. 124 General Administration Department (SPF - MC Department) dated 30-08-2018, consequential amendment issued to the Presidential Order vide G.S.R. No.279 (E) dated 16-04-2021 notified vide G.O.Ms.No.128 General Administration (SPF-I) Department, dated 30-06-2021, G.O.Ms.No.179, General Administration (SPF-I) Department, dated 04-08-2021, G.O.Ms. No. 317 General Administration Department SPF - 1 Department, dated 06-12-2021 issued by 3rd respondent, Memo No. 11743/1/2022, dated 25-06-2024 issued by the 4th respondent and Proc.Rc.No.45/G/2014-71, dated 16-07-2025 issued by the 5th respondent.

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 suspend the amendment to the clause (1) and (3) of Article 371 (D), consequential the Telangana Public Employment (Organization of the Local Cadres and Regulations of direct recruitment) Order, 2018, notified in G.S.R.820 (E), dated 29-08-2018 which was adapted by the Telangana Government vide G.O.Ms. No. 124

General Administration Department (SPF - MC Department) dated 30-08-2018, consequential amendment issued to the Presidential Order vide G.S.R. No.279 (E) dated 16-04-2021 notified vide G.O.Ms.No.128 General Administration (SPF-I) Department, dated. 30-06- 2021,G.O.Ms.No.179, General Administration (SPF-I) Department, dated 04-08-2021, G.O.Ms. No, 317 General. Administration Department SPF - 1 Department, dated 06-12-2021 issued by 3rd respondent, Memo No. 11743/2022, dated 25-06-2024 issued by the 4th respondent and Proc.Rc.No.45/G/2014-71, dated 16-07-2025 issued by the 5th respondent or in the alternative, this Hon'ble Court may be pleased direct the respondents to continue the petitioner as Senior Assistant at Area Hospital, Zaheerabad, Sangareddy District by duly suspending the operation of the Proc.Rc.No.45/G/2014-71, dated 16¬07-2025 issued by the 5th respondent.

Counsel for the Petitioner: SRI A. PHANI BHUSHAN

Counsel for the Respondent Nos.1 and 2: DEPUTY SOLICITOR GENERAL OF INDIA

Counsel for the Respondent No.3: GP FOR GAD

Counsel for the Respondent No.4: GP FOR MEDICAL AND HEALTH

Counsel for the Respondent No.5: SRI M.P.K. ADITYA,
SC FOR THE TELANGANA VAIDYA VIDHANA PARISHAD

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH

AND

THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

Writ Petition No.24609 of 2025

ORDER:

Learned counsel Sri A.Phani Bhushan appears for the petitioner.

Sri M.P.K.Aditya, learned Standing Counsel for the Telangana Vaidya Vidhana Parishad, appears for respondent No.5.

2. Learned counsel for the petitioner seeks permission to withdraw the writ petition with liberty to file a fresh writ petition along with necessary pleadings and material supporting the material facts and law.

3. In view of the request made, the instant writ petition is accordingly dismissed as withdrawn with liberty as prayed for. However, there shall be no order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

SD/-U.SUDHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri A. Phani Bhushan, Advocate [OPUC]
2. One CC to Deputy Solicitor General of India [OPUC]
3. Two CC to The GP for Medical and Health, High Court for the State of Telangana, at Hyderabad[OUT]
4. Two CC to The GP for GAD, High Court for the State of Telangana, at Hyderabad[OUT]
5. One CC to Sri M.P.K. Aditya, SC for The Telangana Vaidya Vidhana Parishad[OPUC]
6. Two CD Copies

T J

HIGH COURT

CC TODAY

DATED:21/08/2025



ORDER

WP.No.24609 of 2025

DISMISSING THE WRIT PETITION AS WITHDRAWN WITHOUT COSTS

23/8/25