

**HIGH COURT FOR THE STATE OF TELANGANA  
(SPECIAL ORIGINAL JURISDICTION)**

FRIDAY, THE FOURTH DAY OF JANUARY TWO THOUSAND AND NINETEEN

:PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN  
AND  
THE HONOURABLE SRI JUSTICE A. RAJASHEKER REDDY  
WRIT PETITION No. 346 OF 2019**



**Between :-**

1. Government Teachers Association, Telangana State (Regd.No.1063/79), Having its State Office at H.No.8-1-302/A/38, Vivekananda Nagar, Shaikpet, Hyderabad-500008, Represented by its General Secretary, M. Veerachary.
2. K. Prabhakar, S/o. Peda Narasaiah, Occ : Teacher, R/o.H.No.2-6-991/1, KLN Reddy Colony, Hanmakonda, Warangal Urban 506001.
3. V.Ramesh Goud, S/o.Chandrappa Goud, Age 47 years, Occ Teacher, R/o.H.No.1-3-69/1 near English Union Primary School, Kavadiguda, Musheerabad, Hyderabad 500080.
4. B.Sreenivasa Rao, S/o. B. Narsingarao, Age 44 years, Occ Teacher, R/o.H.No.1-8-716, 36/2RP, Salla Residency, Prakashnagar, Begumpet, Secundrabad 500016.
5. K. Srinivas Goud, S/o. K. Ramulu, Age 46 years, Occ : Teacher, R/o.H.No.B/908, Aliwyn Colony, 1st Phase, Kukatpally, Medchal 500072.
6. Md.Yadulla, S/o.Modinsab, Age 50 years, Occ Teacher, R/o.H.No.305, Zonah Star Appartment, Moosarambagh, Malakpet, Hyderabad 500033.
7. N.Manjulatha, D/o.Srinivasa Rao, Age 48 years, Occ: Teacher, R/o.Flat.No.108, Kesava Eatate, Kavuri Hills, Jubilehills, Hyderabad 500033 .
8. G.Mohana Rao, S/o. Guruswamy, Occ Teacher, R/o.H.No.3-67/3148, Gulmohar Park colony, Serilingampally, Ranga Reddy District.
9. M.Bramha Chary, S/o.Venkata Chary, Occ : Teacher, RJo.H.No.6-389, Manikyanagar, Chintal, Quthbullapur, Medchal 500054

**..Petitioners**

**AND**

1. The Union of India, Rep. by its Secretary, Ministry of Home Affairs, New Delhi
2. The Union of India, Rep. by its Joint Secretary, Ministry of Home Affairs, New Delhi
3. The State of Telangana, Rep. by its Principal Secretary, General Administration (SPF-MC) Department Secretariat, Hyderabad, Telangana
4. The State of Telangana, Rep.by its Principal Secretary, School Education Department Secretariat, Hyderabad, Telangana
5. The Commissioner and Director of School Education, Government of Telangana, 1<sup>st</sup> Floor, C-Block, Saifabad, Hyderabad, Telangana - 500 004.

**..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 declaring the impugned Paragraphs 3(3), 6(1)(iii) and 8(1)(c) of the Presidential Order in G.S.R.820(E) dt.29.08.2018 issued by Respondents 1 and 2 integrating and organizing teachers in Mandal Praja Parishad and Zilla Parishad with teachers in Government Schools into a separate integrated cadre, and the consequential G.O.Ms.No.124 General Administration (SPF-MC) Department dt.30.08.2018 issued by the 3rd Respondent as illegal, unjust, arbitrary, discriminatory, violative of Articles 14, 16, 21, 243G, 309, 311 and 371D of the Constitution of India and consequently strike down the impugned Paragraphs 3(3), 6(1)(iii) and 8(1)(c) of the Presidential Order in G.S.R.820(E) dt.29.8.2018 and G.O.Ms.No.124 dt.30.08.2018 with all consequential benefits.

Contd...2..

**I.A No. 1 of 2019 :-**

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 Paragraphs 3(3), 6(1)(iii) and 8(1)(c) of the Presidential Order in G.S.R.820(E) dt.29.08.2018 issued by Respondent Nos.1 & 2 and the consequential G.O.Ms.No.124 General Administration (SPF-MC) Department dt.3 0.8.2018 issued by the 3<sup>rd</sup> Respondent pending disposal of W.P. 346 of 2019, on the file of the High Court.

The Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI I. ARANYA SAURABH, Advocate for the Petitioners and Sri K. Lakshman, Assistant Solicitor General on behalf of respondent Nos. 1 and 2 and of the Govt. Pleader for GAD on behalf of respondent No.3 and of the Government Pleader for Education on behalf of respondent Nos. 4 and 5, the Court made the following

**ORDER :-**

“Learned Assistant Solicitor General appears for respondents 1 and 2, learned Government Pleader for General Administration appears for respondent No.3 and learned Government Pleader for Education appears for respondents 4 and 5.

Post on 04.02.2019 for instructions.

There will be an interim order that no further action shall be taken on the basis of the impugned decision for the time being.”

//TRUE COPY//

Sd/- T.SRINIVAS  
ASSISTANT REGISTRAR

for ASSISTANT REGISTRAR

To

- 1.The Secretary, Ministry of Home Affairs, Union of India, New Delhi
- 2.The Joint Secretary, Ministry of Home Affairs, Union of India, New Delhi.
- 3.The Principal Secretary, General Administration (SPF-MC) Department, State of Telangana, Secretariat, Hyderabad, Telangana
- 4.The Principal Secretary, School Education Department, State of Telangana, Secretariat, Hyderabad, Telangana
- 5.The Commissioner and Director of School Education, Government of Telangana, 1<sup>st</sup> Floor, C-Block, Saifabad, Hyderabad, Telangana - 500 004.

**(Addressee Nos. 1 to 5 by RPAZ)**

- 6.Two CCs to Sri K. Lakshman, Assistant Solicitor General, High Court at Hyd.(OUT)
- 7.Two CCs to the G.P. for GAD, High Court at Hyd.(OUT)
- 8.Two CCs to the G.P. for Education, High Court at Hyd.(OUT)
- 9.One CC to Sri I. Aranya Sourabh, Advocate(OPUC)
- 10.Two spare copies.

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HIGH COURT

HC.J & ARR.J

DT.04-01-2019.

ORDER



W.P.No. 346 of 2019

DIRECTION