

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

THURSDAY, THE TENTH DAY OF JULY  
TWO THOUSAND AND TWENTY FIVE

**PRESENT**

**THE HONOURABLE MRS JUSTICE SUREPALLI NANDA**

**WRIT PETITION NO: 23229 OF 2023**

**Between:**

T. Sampath, S/o T. Murali, Aged about 54 years, Occ ; Junior Assistant (Now removed), O/o Principal Kakatiya Medical College, Warangal, R/o H.No.2-4-86, Ramnagar, Hanumakonda, Hanumakonda District.

**.....PETITIONER**

**AND**

1. The State of Telangana, Rep by Principal Secretary Medical and Health Department, Secretariat, Hyderabad.
2. The Director of Public Health and Family Welfare Telangana State, Hyderabad.
3. The District Collector, Hanumakonda District, Hanumakonda.
4. The Principal Kakatiya Medical College, Hanumakonda, Hanumakonda District.

**.....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 Certiorari call for the records pertaining to Proceedings vide RC No. E2/3600/2021, dt.22/12/2021 issued by the 4th respondent, declare the same as illegal, arbitrary, pervasive, violation of Principles of Natural Justice and violation of Art. 14, 16 and 21 of Constitution of India and consequently set aside the same.

**I.A.NO:1 OF 2023**

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 issued by the 4th respondents vide RC No. E2/3600/2021, dt.22/12/2021, duly reinstate the petitioner in o service forthwith, subject to out of the above writ petition.

**Counsel for the Petitioner : SRI T.D.PHANI KUMAR**

**Counsel for the Respondents : AGP FOR SERVICES - II**

**The Court made the following ORDER**

**HON'BLE MRS. JUSTICE SUREPALLI NANDA**

**WRIT PETITION No. 23229 OF 2023**

**ORDER:**

Heard Sri T.D.Phani Kumar, learned counsel appearing on behalf of the petitioner and the learned Assistant Government Pleader for Services-II appearing on behalf of the respondents.

**2. The petitioner approached this Court seeking the prayer as under:**

".....to issue a Writ, order or direction more particularly one in the nature Writ of Certiorari call for the records pertaining to Proceedings vide RC No.E2/3600/2021, dated 22-12-2021 issued by the 4<sup>th</sup> respondent, declare the same as illegal, arbitrary, pervasive, violation of principles of natural justice and violation of Articles 14, 16 and 21 of the Constitution of India and consequently set aside the same and pass....."

**3.** The case of the petitioner, in brief, is that the petitioner was appointed as a Junior Assistant in the 4<sup>th</sup> respondent Medical Institution in 1985 and served for 21 years without any adverse record. On 22-05-2018, a news item in *Namasthe Telangana*

alleged that fake certificates were issued by MGM Hospital staff in the name of Erragadda Mental Hospital. Based on a report by the Director General, Vigilance and Enforcement dated 20-02-2020, the petitioner was suspended on 21-09-2020. Despite submitting an explanation denying the allegations, respondent No.3 framed charges, and respondent No.4, without assigning reasons or considering the explanation, passed orders removing the petitioner from service on 22-12-2021. Aggrieved by the same, the petitioner filed the present writ petition.

**4. PERUSED THE RECORD:**

**A) The relevant portion of the proceedings of the respondent No.4 i.e., Principal, Kakatiya Medical College, Hanumakonda vide proceedings No.E2/3600/2021 dated 22.12.2021 issued to the petitioner herein is extracted hereunder:**

PROCEEDINGS OF THE PRINCIPAL, KAKATIYA MEDICAL COLLEGE,  
HANUMAKONDA  
Present: Dr.D.MOHAN DAS, M.S  
Principal/Additional D.M.E.,

Proc. Rc. No.E2/3600/2021

Dated: 22.12.2021

**Sub:** ESTT-TSM&HS-Public Services - Report of Vigilance & Enforcement Department-GAD Department Adverse News Published in Namaste Telangana under Caption "UDYOGALA KOSAM ADDADARI on 22/05/2018 fake Medical Invalidation Certificates Racket issued by Sri. T. SAMPATH, Junior Assistant

Olo Principal, Kakatiya Medical College, Warangal - Appointed Enquiry Officers to conduct detailed enquiry - Enquiry Officers submitted Enquiry Reports Services-ORDERS Issued-Regarding. Imposing of Major Punishment of Dismissal from Services - ORDERS Issued - Regarding.

- Ref:**
1. The Principal Secretary to Govt. General Admin Department, TS, Secretariat Hyderabad, letter No 2204/Ser.A2/2020, Dt: 14/05/2020.
  2. Rc. No. A5/1315/2020-2 Dated 31/08/2020 of District Collector, Warangal Urban District.
  3. Rc. No E2/2171/2020, Dated 17/09/2020 of Principal, K.M.C. Warangal.
  4. Charge Memo Rc. No E2/2171/2020, Dt 21/09/2020 of Principal, KMC, Wgl.
  5. Rc. No E2/2171/2020, Dated 21/09/2020 of Principal, K.M.C. Warangal.
  6. Explanation of the individual, dated 05.10.2020.
  7. File No. REV/A5/MISC/0001/2020-COLL WGL U, Dt: 05/10/2020 of the Collector & District Magistrate, Warangal Urban.
  8. File No. REV/AS/MISC/0001/2020 COLL WGL U, Dt 12/10/2020 of the Collector & District Magistrate, Warangal Urban.
  9. Suspension Order vide Rc. No. E2/2604/2020, Dt 19/10/2020 of KMC, Warangal.
  10. Enquiry Officer vide Rc. No E2/2604/2020, Dt: 28/10/2020 & 20/11/2020 of KMC, Wgl.
  11. Enquiry Report submitted by the Enquiry Officers Dated: 24/08/2021.
  12. Show cause Notice of this office vide Rc. No. E2/3600/2021, Dt 26/10/2021
  13. Explanation of the individual Dated 12/11/2021.
  14. Rc No. E2/3600/2021, Dt. 04/12/2021 of Principal, K.M.C. Hanumakonda.
  15. Explanation of the individual Dated: 14/12/2021.

WHEREAS, vide reference 1<sup>st</sup> to 2<sup>nd</sup> cited that, the Hon'ble Collector & District Magistrate, Warangal Urban has directed to take necessary action as per the recommendations of the Vigilance and Enforcement department report basing on the adverse news published in Namasthe Telangana daily News Paper captioned as "UDYOGALA KOSAM ADDADHARI" on 22/05/2018, alleging involvement of employees of K.M.C./M.G.M., Hospital regarding issued of fake certificates in the name of Erregadda Mental Hospital, Hyderabad to the Government employees who made request on medical invalidation grounds.

Sri. T. SAMPATH, Junior Assistant of this office working in M.G.M. Hospital, Warangal is involved in this case.

WHEREAS, the power conferred by the sub rule (1) of rule of C.C.A Rules 1991, the Principal, Kakatiya Medical College, Warangal is hereby placed Sri. T. SAMPATH, Junior Assistant under suspension until further orders by pending enquiry against him vide reference 9<sup>th</sup> cited.

WHEREAS, this office has framed Article of Charges against Sri. T. SAMPATH, Junior Assistant vide reference 5<sup>th</sup> cited.

WHEREAS, in accordance with reference 7<sup>th</sup> & 8<sup>th</sup> cited this office has appointed Enquiry Officers to conduct the detailed inquiry vide reference 10<sup>th</sup> cited.

WHEREAS, the Enquiry Officers have submitted detailed enquiry report vide reference 11<sup>th</sup> cited in which the Article of Charges framed against Sri. T. SAMPATH, Junior Assistant (Under Suspension) are proved.

WHEREAS, this office has issued the Show Cause Notice to the individual vide reference 12<sup>th</sup> cited to called for the explanation that, why the major punishment of dismissal of service should not imposed against him.

WHEREAS, the individual has submitted the explanation vide reference 13<sup>th</sup> to 14<sup>th</sup> cited.

After examine the explanation submitted by the individual vide reference 15<sup>th</sup> cited, the Principal, Kakatiya Medical College, Hanumakonda has decided to impose the major punishment of dismissal of services against Sri. T. SAMPATH, Junior Assistant (Under Suspension) with immediate effect.

The Office Superintendent, Accounts section of this office is hereby directed to take necessary action accordingly as per rules in force.

**PRINCIPAL**

**Kakatiya Medical College  
HANUMAKONDA.**

To

Sri T.SAMPATH, Junior Assistant (Under Suspension) R/o. H.No.2-4-86, Ramnagar, Hanumakonda. (By. Regd. Post/Ack due) and I also send through Special Messenger.

Copy to the Superintendent ofAccounts section of this Office for necessary information.

Copy submitted to the District Collector, Hanumakonda for information.  
Copy submitted to the Director for Medical Education, Telangana, Hyderabad for information.

Copy submitted to the Director of Public Health & Family Welfare, Telangana, Hyderabad for information.

Copy submitted to Vigilance Commissioner, T.S., Secretariat, Hyderabad for information.

Copy submitted to the Principal Secretary to Govt. General Admin Dept., T.S., Secretariat, Hyderabad.

**B) The relevant portion of the order dated 06.12.2021 passed in W.P.No.12902 of 2021 is extracted hereunder:**

4. "The learned counsel for the petitioner has contended that a perusal of the Rule 25(1) of the Rules, 1991 clearly states that whenever any employee is convicted by the competent Criminal Court, the disciplinary authority need not conduct any enquiry and straight away, based on the conviction, he can be removed. But in the instant case, no conviction has been awarded by the competent Criminal Court and only FIR in Crime No.131 of 2021 dated 19.04.2021 on the file of Matwada Police Station, Warangal District, has been registered against the petitioner on the complaint given by the 3<sup>rd</sup> respondent and the same is

pending. Therefore, learned counsel for the petitioner has contended that the disciplinary authority i.e., 3<sup>rd</sup> respondent ought not to have invoked powers under Rule 25(1) of the Rules, 1991 and imposed a major penalty of removal on the petitioner. Learned counsel for the petitioner has further contended that Rule 25 of the Rules, 1991 reads as follows:

"25. Special procedure in certain cases:  
Notwithstanding anything contained in Rule 20 to Rule 24.

- (i) Where penalty is imposed on a Government servant on the ground of conduct which has led to his conviction on a criminal charge, or
- (ii) When the disciplinary authority is satisfied for reasons to be recorded by it in writing that it is not reasonably practicable to hold an inquiry in the manner provided in these rules, or
- (iii) Where the governor is satisfied that in the interest of the security of the State, it is not expedient to hold any inquiry in the manner provided in these Rules,

The disciplinary authority may consider the circumstances of the case and make such orders thereon as it deems fit:

[ x x x ] (*Proviso deleted by G.O. Rt.No.642, Genl. Admn. (Ser-C), Dt.29.12.1993*)

Provided that the Commission shall be consulted, where such consultation is necessary, before any orders are made in any case under this rule.

[Provided further that no such consultation with the Commission is necessary before any orders are made under clause(i) of this rule]

(*Added G.O M.S No.240, G.A (Sec-C) Dep. Dated 14.08.2003.*)

A perusal of the said Rule clearly states that the disciplinary authority can invoke the said power where an employee has been convicted by the competent Criminal Court or where the disciplinary authority is satisfied for reasons to be recorded by it in writing that it is not expedient to hold any inquiry in the manner provided in these Rules.

8. Moreover, while alleging stigma against the petitioner, the disciplinary authority is bound to conduct enquiry and only after giving reasonable opportunity to the petitioner, the respondents have to pass the impugned orders. But in the instant case, no such enquiry is conducted. Therefore, on these grounds, the impugned order dt.02-04-2021 is liable to be set aside and accordingly the same is set aside. The respondents are directed to reinstate the petitioner into service with all consequential benefits. It is always open for the disciplinary authority to take action against the petitioner in accordance with law. No costs.

**C) The relevant portion of the order dated 04.04.2022 passed in W.P.No.16772 of 2022 is extracted hereunder:**

"The learned counsel for petitioner submits that the issue involved in this writ petition is squarely covered by the order dated 16.12.2021 passed by this Court in W.P.No.12902 of 2021 and the same is not disputed by the learned Government Pleader for Services-II.

In view of the same and following the order passed in the above writ petition, the writ petition is allowed in terms thereof, setting aside the impugned Order vide Rc.No.8420/VC-E/2021 dated 17.1.2022 issued by the 2nd respondent and further the respondents are directed to reinstate the petitioner into service with all consequential benefits. However, it is open for the disciplinary authority to take action, in accordance with law. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs."

**D) The relevant portion of the order dated 29.11.2022 passed in W.P.No.26078 of 2021 is extracted hereunder:**

10. "Having regard to the rival contentions and the material on record, this court finds that similar circumstances had arisen in W.P No.12902 of 2021 and vide orders dated 16.12.2021, this Court had considered the issue at length and in Para Nos.3 to 8 has held as under:

"3. It has been contended by the petitioner that his mother was employed as Multi Purpose Health Assistant with the respondents and the petitioner's mother has been retired on medical invalidation grounds vide proceedings dt.06-12-20216. Thereafter, the petitioner has submitted an application on 14-06- 2017 to consider his case for appointment on compassionate

grounds. Thereafter, the respondents were pleased to consider his case for compassionate appointment on compassionate grounds vide proceedings dt.06-07-2017 and subsequently the petitioner's services were regularized vide proceedings dt.24-07-2019. While petitioner is discharging his duties as Office Subordinate, it has been alleged by the respondents that a news item has been published in the local newspaper on 22-05-2018 alleging that some of the employees of M.G.M. Hospital, Warangal, have secured employment by producing fake certificate in the name of Erragadda Mental Hospital, Hyderabad, and based upon the said news item, the 4th respondent had issued show cause notice to the petitioner on 21- 11-2020. Alleging that the petitioner has produced fake certificate at the time of securing employment and that the petitioner has submitted a detailed explanation denying the said charges over the 3rd respondent had straight away imposed orders of removal vide proceedings dt.02-04-2021 by invoking the powers under Rule 25 (1) of the Rules, 1991.

4. The learned counsel for the petitioner has contended that a perusal of the Rule 25 (1) of the Rules, 1991 clearly states that whenever any employee is convicted by the competent Criminal Court, the disciplinary authority need not

conduct any enquiry and straight away based on the conviction, he can be removed. But in the instant case, no conviction has been awarded by the competent Criminal Court and only FIR in Crime No.131 of 2021 dt.19-04-2021 on the file of Matwada Police Station, Warangal District, has been registered against the petitioner on the complaint given by the 3rd respondent and the same is pending. Therefore, learned counsel for the petitioner has contended that the disciplinary authority i.e. 3rd respondent ought not to have invoked powers under Rule 25 (1) of the Rules, 1991 and imposed a major penalty of removal on the petitioner. Learned counsel for the petitioner has further contended that Rule 25 of the Rules, 1991 reads as follows:-

"25. Special procedure in certain cases: -  
Notwithstanding anything contained in Rule 20 to Rule 24-

(i) where penalty is imposed on a Government servant on the ground of conduct which has led to his conviction on a criminal charge, or

(ii) where the disciplinary authority is satisfied for reasons to be recorded by it in writing that it is not reasonably practicable to hold an inquiry in the manner provided in these rules, or

(iii) where the Governor is satisfied that in the interest of the security of the State, it is not expedient to hold any inquiry in the manner provided in these Rules,

the disciplinary authority may consider the circumstances of the case and make such orders thereon as it deems fit :

[ x x x ] (Proviso deleted by G.O.Rt.No.6421, Genl. Admn. (Ser.-C),Dt.29-12-1993) Provided that the Commission shall be consulted, where such consultation is necessary, before any orders are made in any case under this rule.

[Provided further that no such consultation with the Commission is necessary before any orders are made under clause (i) of this rule.] (Added by G.O.Ms.No.240, G.A. (Ser-C) Dept., Dt.14-08-2003)

A perusal of the said Rule clearly states that the disciplinary authority can invoke the said power where an employee has been convicted by the competent Criminal Court or where the disciplinary authority is satisfied for reasons to be recorded by it in writing that it is not expedient to hold any inquiry in the manner provided in these Rules.

5. Learned counsel for the petitioner has contended that none of these factors were there in the instant

case and nowhere the disciplinary authority has assigned reasons why it is not practicable to conduct enquiry against the petitioner. Whenever the disciplinary authority is alleging stigma against the petitioner, the respondents are bound to conduct enquiry so as to give opportunity to prove his innocence. But in this case, no opportunity is given to the petitioner and straight away imposed major penalty of removal vide proceedings dt.02-04-2021 further directed the respondents to reinstate the petitioner with all consequential benefits.

6. Learned Government Pleader for services-II appearing for the respondents has contended that the disciplinary authority has ample power under Rule 25 of the Rules, 1991 to discern whether the regular enquiry is required or not and the allegation levelled against the petitioner is that the petitioner has secured employment on compassionate grounds, based upon the fake medical certificate produced by his mother and that the show cause notice issued to the petitioner is only after following principles of natural justice and only after following the due procedure, the disciplinary authority has imposed major penalty of removal from service. Therefore, the Writ Petition has no merits and the same is liable to be dismissed.

7. Having regard to the rival submissions made by the parties, this Court is of the considered view that Rule 25 of the Rules, 1991 could not have invoked by the

disciplinary authority as none of the three eventualities which were stipulated in Rule 25 are attracting in the instant case and no reason was recorded by the disciplinary authority as it is not practicable to conduct enquiry against the petitioner. Therefore, invoking Rule 25 (1) or Rule 25 of the Rules 1991 itself is not warranted in the instant case. Therefore, the impugned order of removal dt.02-04- 2021 is set aside as none of the eventualities mentioned in Rule 25 of the Rules are not being attracted in the instant case.

8. Moreover, while alleging stigma against the petitioner, the disciplinary authority is bound to conduct enquiry and only after giving reasonable opportunity to the petitioner, the respondents have to pass the impugned orders. But in the instant case, no such enquiry is conducted. Therefore, on these grounds, the impugned order dt.02-04-2021 is liable to be set aside and accordingly the same is set aside. The respondents are directed to reinstate the petitioner into service with all consequential benefits. It is always open for the disciplinary authority to take action against the petitioner in accordance with law. No costs".

**E) The Counter affidavit has been filed on behalf of the Respondent Nos.1 to 4 and in particular paragraph No.5 is extracted hereunder:**

"5. It is respectfully submitted that, basing on the departmental enquiry report the petitioner was issued show cause notice by Principal Kakatiya medical college vide letter Rc. No.E2/3600/2021 Dated 26.10.2021 proposing the major punishment of Dismissal from service and to submit explanation within 7 days of receipt of the notice duly following principle of natural justice. The petitioner in response to the show cause notice requested to provide a copy of the enquiry report and accordingly the petitioner was issued a copy of the enquiry report for submission of this explanation through letter Rc.No.E2/3600/2021 Dated 01.12.2021. After receipt of the enquiry report the petitioner on 14.12.2021 has submitted a detailed explanation and the Principal, Kakatiya Medical College has pursued the explanation of the basing on Principles of natural justice and issued final orders imposing the major punishment of dismissal from service against the petitioner and issued dismissal order through Proc Rc. No.E2/3600/2021 Dated 22.12.2021. Therefore the action of the respondent is in accordance with law and no illegality or illegality is committed in issuing, the imposed order."

**DISCUSSION AND CONCLUSION:-**

**5. Learned counsel appearing on behalf of the petitioner mainly puts-forth the following submissions:-**

- i) The petitioner, who is a Junior Assistant, is in no way connected with the issuance or validation of certificates by the appointing authorities of the concerned department and has been falsely implicated in a case involving the issuance and validation of fake certificates in the name of Erragadda Mental Hospital to Government employees.
- ii) The petitioner was placed under suspension on 21.09.2020 and, upon being served with a charge sheet, the petitioner submitted his explanation and pleaded ignorance. Nevertheless, a criminal case was registered against the petitioner in Crime No. 319 of 2020 on 31.12.2020 for the alleged commission of offences punishable under Sections 420, 468, and 471 of IPC.
- iii) The disciplinary proceedings initiated against the petitioner were also based on the same set of allegations. However, a final report was submitted by the Sub-Inspector of Police, P.S. Matwada, treating the case as a mistake of fact and accepting the said final report, the VI Additional Judicial Magistrate of First Class, Warangal, vide order dated 18.05.2022 in Crime No. 319 of 2020 in R.C.C. No. 01/2021, passed a docket order accepting the final report filed by the Sub-Inspector of Police, P.S. Matwada.

- iv) In view of the fact that a final report was submitted before the concerned Court treating the case as a mistake of fact, the disciplinary proceedings could not have been continued. However, to the petitioner's shock, the impugned order dated 22.12.2021 vide Proceedings No. R.C. No. E2/3600/2021 was issued by the Principal, Kakatiya Medical College, Hanumakonda, imposing the major punishment i.e., dismissal of the petitioner from the service.
- v) A show cause notice vide Rc.No.E2/3600/2021, dated 26.10.2021 was issued by the 4<sup>th</sup> respondent to the petitioner and the petitioner submitted a detailed explanation to the 4<sup>th</sup> respondent on 14.12.2021 to the said show cause notice issued to the petitioner. However, without considering the explanation furnished in response to the said show cause notice, a major punishment of dismissal from service was imposed on the petitioner by the respondent No.4 with immediate effect.
- vi) The respondent No.4 failed to verify the explanation submitted by the petitioner and did not consider the specific details furnished in support of the petitioner's case in the explanation dated 14.12.2021, which pertained to the charges framed against him.

vii) Without conducting disciplinary proceedings in accordance with due procedure, and without affording the petitioner an opportunity of personal hearing or permitting the petitioner to examine witnesses to establish the truth, a major punishment of dismissal from service was imposed without assigning any reasons. Therefore, the impugned order is liable to be set aside.

**Based on the aforesaid submissions, the learned counsel appearing on behalf of the petitioner contends that the petitioner is entitled for the relief as prayed for by the petitioner in the present writ petition.**

6. Learned Assistant Government Pleader for Services-II appearing on behalf of the respondents placing reliance on the averments made in the counter affidavit filed on behalf of the respondents, in particular paragraph No.5, contended that, based on the departmental enquiry report, a show cause notice dated 26.10.2021 was issued to the petitioner proposing the imposition of the major punishment of dismissal from service, and an explanation was called for from the petitioner. Upon the petitioner's request, a copy of the enquiry report was furnished, and petitioner submitted explanation on 14.12.2021. After perusing the petitioner's explanation, the Principal, Kakatiya

Medical College, passed the impugned order of dismissal on 22.12.2021 and the same is in conformity with the principles of natural justice and therefore, the impugned order does not warrant interference by this Court.

**7. Learned Assistant Government Pleader, however, fairly admits that a regular departmental enquiry was not conducted, and the petitioner was not afforded a reasonable opportunity of hearing, nor was he permitted to examine the witnesses. Nevertheless, the impugned order was passed.**

**8.** This Court opines that the petitioner is entitled to grant of relief and petitioner's services cannot be terminated in a summary and arbitrary manner without complying with the principles of natural justice and without conducting a regular enquiry. As borne on record, the order of removal had been passed against the petitioner attributing misconduct on the part of the petitioner; however, the same had not been established through a proper enquiry. Therefore, the impugned order, dated 22.12.2021 issued by the 4<sup>th</sup> respondent is in clear violation of Rule 20 of the CCA Rules, since the petitioner cannot be terminated unilaterally without due process.

9. Learned counsel appearing on behalf of the petitioner submits that the decision in W.P. No.12902 of 2021, dated 16.12.2021, has been followed by this Court in W.P. No.16772 of 2022 vide order dated 04.04.2022 and also in W.P. No.26078 of 2021, vide order dated 29.11.2022.

10. Taking into consideration the orders of this Court passed under identical circumstances in W.P. No.16772 of 2022 and W.P. No.26078 of 2021, as well as the judgment in W.P. No.12902 of 2021, this Court opines that the impugned order issued by the 4<sup>th</sup> respondent is bereft of reasons and passed in clear violation of the mandatory procedure required for conducting a regular inquiry, hence, the impugned order is vitiated and is liable to be set aside.

**11. TAKING INTO CONSIDERATION:**

- A) The aforesaid facts and circumstances of the case,**
- b) The submissions made by the learned counsel appearing on behalf of the petitioner and the learned Assistant Government Pleader for Services-II appearing on behalf of the respondents,**

- c) The averments made in the counter affidavit filed on behalf of respondent Nos.1 to 4 and in particular, paragraph No.5 (referred to and extracted above).
- d) The impugned proceedings dated 22.12.2021 vide R.C No.E2/3600/2021 issued by Principal, Kakatiya Medical College, Hanumakonda addressed to the petitioner herein (referred to and extracted above).
- e) The order of this Court dated 08.06.2021 passed in W.P No.12902 of 2021 (referred to and extracted above).
- f) The relevant portion of the order of this Court dated 04.04.2022 passed in W.P No.16772 of 2022 (referred to and extracted above).
- g) The relevant portion of the order of this Court dated 29.11.2022 passed in W.P No.26078 of 2022 (referred to and extracted above).
- h) The discussion and conclusion as arrived at para Nos.5 to 10 of the present order.

**The Writ Petition is allowed and the impugned order dated 22.12.2021 vide R.C No.E2/3600/2021 issued by**

the Respondent No.4 is set aside and the respondents are directed to reinstate the petitioner into service with all consequential benefits. It is further made clear that the disciplinary authority is at liberty to take appropriate action against the petitioner, if the respondents intend to do so in accordance to law in conformity with the principles of natural justice after giving due notice to the petitioner and by following due procedure laid down under the law. However, there shall be no order as to costs.

Miscellaneous applications, if any, pending shall stand closed.

SD/- S.MALLIKARJUNA RAO  
ASSISTANT REGISTRAR


//TRUE COPY//

  
SECTION OFFICER

To

1. The Principal Secretary, Medical and Health Department, Secretariat, State of Telangana at Hyderabad.
2. The Director of Public Health and Family Welfare Telangana State, Hyderabad.
3. The District Collector, Hanumakonda District, Hanumakonda.
4. The Principal Kakatiya Medical College,, Hanumakonda, Hanumakonda District.
5. Two CCs to GP FOR SERVICES- II, High Court for the State of Telangana at Hyderabad. [OUT]
6. One CC to SRI T.D.PHANI KUMAR, Advocate [OPUC]
7. Two CD Copies

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TKS 

C.C. TODAY

HIGH COURT

DATED:10/07/2025



ORDER

WP.No.23229 of 2023

ALLOWING THE W.P  
WITHOUT COSTS.

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by  
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