

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

**TUESDAY, THE SEVENTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE JUSTICE MOUSHUMI BHATTACHARYA

WRIT PETITION NO: 34846 OF 2024

Between:

1. Manda Ilaih, S/o. M.SaiReddy Reddy, Aged 76 Yrs., Occu. Agriculture, R/o. Athmakuru, Dist. Warangal.
2. K.Sampath Kumar, S/o K.Chennaiah, Aged 73 Yrs., Occu. Agriculture, Jawahar Colony, Hanmakonda, 506001.
3. T.Chandraiah, S/o Komuraiah, Aged 73 Yrs Occu. Agriculture, R/o. Athmakuru, Dist. Warangal.
4. G.Venkatram Narsaiah, S/o Veera Swamy, Aged 73 Yrs., Occu. Agri., R/o. Rangam pet, Warangal.
5. R.Lakshma Reddy, S/o Narsi Reddy, Aged. 74 Yrs., Occu. Agriculture, R/o. Athmakuru, Dist. Warangal.
6. P.Sambaiah, S/o Lakshmaiah, Aged. 81 Yrs., Occu. Agriculture, R/o. Athmakuru, Dist. Warangal.
7. P.Lingaiah, S/o Venkaiah, Aged.70 Yrs., Occu. Agriculture, R/o. Athmakuru, Dist. Warangal.
8. V.Sammaiah, S/o V.Venkataiah, Aged 67 Yrs., Occu. Agri. R/o. Rangam pet, Warangal.
9. Thogati Chandra Mouli, S/o T.Venkata Ramaiah, Age. 74 Yrs., Occu. Agri., R/o.Nakkalgutta Warangal.
10. K.Rama Swamy, S/o. K.Keshavulu, Age.75 Yrs., Occu. Agri., R/o. Kavuri Hills, Madhapur. R.R.Dist.
11. L.Lakshminarayana, S/o. Jogaiah, Age.74 Yrs., R/o. Pedakodepaka, Sayampet (M) Dist., Warangal.
12. L.Jogaiah, S/o Satyanarayana, Age.70 Yrs., Occu. Agri., R/o Brundavan Colony, Gopalpur, Dist. Waranagal.
13. L. Pullaiah, S/o Sundaraiah, Age. 74Yrs., Occu. Agri R/o. Ramnagar, Manchirial Mandal, Dist. Adilabad.
14. L.Sudhakar, S/o Satyanarayana, Age.71 Yrs., Occu. Agri., R/o R.R.Colony, Naspur, Dist. Manciarial, Dist. Adilabad.
15. Penala Bhadracharya, S/o. Rajamalliah, Age.75 Yrs., Occu. Agri., R/o. Bhemaram, Mandal, Dist Warangal.

...PETITIONER(S)

AND

1. State of Telangana, Rep. by its Principal Secretary, Home Department Secretariat, Hyderabad 500 004.
2. The Principal Secretary, Finance Department, Govt. of Telangana, Secretariat, Hyderabad 500 004.
3. Union of India, Rep. by its Secretary, Ministry of Home Affairs, Freedom Fighters Division, Loknayak Bhavan, Khan Market, New Delhi -110 003.
4. State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad 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 any writ order or direction particularly one in the nature of WRIT OF MANDAMUS declaring the in action on the part of the 1st respondent state in framing a scheme for extending the Pension and other benefits to the Statehood agitators of Telangana of 1969 as arbitrary, Illegal, Violative of Art.14 and 21 of the Constitution of India and consequently direct extension of the Pension and other benefits same.

IA NO: 1 OF 2024

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 direct the Respondents to consider extending farming of the scheme for extending the pension and other benefits to the state hood agitators of Telangana of 1969 pending disposal of the above writ petition.

**Counsel for the Petitioners: SRI K.R. RAO, REPRESENTING FOR
SRI. Dr.NANUMASA SWAMY**

Counsel for the Respondent No.1: SRI B. SRIDHAR, AGP FOR HOME

**Counsel for the Respondent No.2: SRI RAM SHANKER SHAM,
AGP FOR FINANCE PLANNING DEPARTMENT**

**Counsel for the Respondent No.3: SRI N. SRIKANTH REDDY, REPRESENTING
FOR SRI T. SHASHIDAR REDDY,**

Counsel for the Respondent No.4: GP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA

WRIT PETITION NO.34846 OF 2024

Mr. K.R.Rao, learned counsel representing Dr. Nanumasa Swamy, learned counsel for the petitioners.

Mr. B.Sridhar, learned Assistant Government Pleader for Home for the respondent No.1.

Mr. Ram Shanker Shama, learned Assistant Government Pleader for Finance and Planning Department for the respondent No.2.

Mr. N.Srikanth Reddy, learned counsel representing Mr. T.Shashidar Reddy, learned counsel for the respondent No.3.

ORDER:

The 15 petitioners before this Court pray for Writ of Mandamus on the respondent No.1/State of Telangana represented by the Principal Secretary, Home Department, in failing to frame a Scheme for extending pension and other benefits to the Statehood agitators of Telangana as arbitrary and violative of Articles 14 and 21 of the Constitution of India.

2. Learned counsel appearing for the petitioners places Rule 4-A of the Andhra Pradesh High Court Rules/The Writ Proceedings Rules, 1977, to urge that two or more persons can raise common questions of law and may join in a single writ petition by paying a single set of Court-Fees. The persons concerned are required to have a common cause of action for joining in a single writ petition.

3. The Court is satisfied that the 15 writ petitioners can file a single writ petition for agitating their grievance.

4. However, on the merits of the case, it is undisputed that the petitioners approached the writ Court in 2018 and in 2024 with identical relief. W.P.No.27712 of 2018 was disposed of by a Co-ordinate Bench on 24.11.2023 by granting liberty to the petitioners to submit appropriate representations to the authorities concerned including the Chief Secretary, Principal Secretaries of Home and Revenue Departments by enclosing relevant documents with a request to frame a Scheme for extending pension and other benefits within a month from the date of receipt of the copy of that order.

5. W.P.Nos.21177 and 22363 of 2024 was disposed of by another Co-ordinate Bench on 29.08.2024 with similar liberty to the petitioners to approach the concerned authorities within certain time frame.

6. The common order dated 29.08.2024 refers to the order passed by the Co-ordinate Bench on 24.11.2023.

7. Admittedly, the petitioners in the other writ petitions who have the same cause of action as the present writ petitioners have not approached the concerned authorities till date including the Chief Secretary and the Principal Secretaries of Home and Revenue

Departments of the State of Telangana. In fact, the Chief Secretary has also not been made a party to the present writ petition. The only representations enclosed with the present writ petition are of 07.10.2014 and 10.01.2015.

8. Even otherwise, the relief claimed in the writ petition is purely within the domain of the State Government as it is a policy issue. The Writ Court should respect the exclusive domain of the State authorities. The Writ Court in any event does not have the power to issue Mandamus on the authorities to frame a Scheme for grant of pension and other benefits to the petitioners for their participation in the Statehood agitation. The Court however expects that the concerned State authorities shall take prompt action in considering the representations as and when made by the petitioners. The petitioners shall make representations to the authorities including the Chief Secretary and the Principal Secretaries of Home and Revenue Departments by enclosing documents in support of their prayer for framing of a Scheme for extending pension and other benefits to the petitioners. The State authorities shall consider and dispose of the representations within a period of 3 months from the date on which the representations are received by the concerned authorities.

9. W.P.No.34846 of 2024 is disposed of in terms of the above. Interim orders, if any, shall stand vacated and all connected applications are disposed of. There shall be no order as to costs.

**SD/-K. SREE RAMA MURTHY
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Home Department Secretariat, State of Telangana, Hyderabad 500 004.
2. The Principal Secretary, Finance Department, Govt. of Telangana, Secretariat, Hyderabad 500 004.
3. The Secretary, Ministry of Home Affairs, Freedom Fighters Division, Loknaya Bhavan, Union of India, Khan Market, New Delhi -110 003.
4. The Principal Secretary, Revenue Department, Secretariat, State of Telangana, Hyderabad 500 004.
5. One CC to Sri Dr.Nanumasa Swamy, Advocate [OPUC]
6. Two CCs to GP for Home, High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CCs to The GP for Revenue, High Court for the State of Telangana, at Hyderabad[OPUC]
8. Two CCs to The GP for Finance and Planning, High Court for the State of Telangana, at Hyderabad[OPUC]
9. One CC to Sri T. Shashidar Reddy, Advocate[OPUC]
10. Two CD Copies

T J
BS

[Handwritten signature]

HIGH COURT

DATED:17/12/2024



ORDER

WP.No.34846 of 2024

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

15 Copies
Sp
21/12/24