

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

FRIDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE K. SARATH

WRIT PETITION NO: 40523 OF 2025

Between:

S.Anil Kumar, S/o Krishna Aged about 41 years, Assistant Engineer Operation,
Keesara Section, TGSPDCL, R/o. Keesaragutta

...PETITIONER

AND

1. Southern Power Distribution Company of Telangana Limited, Represented by its Chairman and Managing Director, Mint Compound, Hyderabad, T.G.
2. The Chairman and Managing Director, Southern Power Distribution Company of Telangana Ltd. Mint Compound, Hyderabad, T.G
3. The Director, HRD TGSPDCL, Corporate Office, Mint Compound, Hyderabad, T.G.
4. The Chief General Manager (HRD), TGSPDCL, Corporate Office, Mint Compound, Hyderabad, T.G.
5. The Chief General Manager, (OandM) Rural Zone, TGSPDCL, Corporate Office, Mint Compound, Hyderabad.
6. The Chief General Manager, Operation TGSPDCL, Medchal Zone, Hyderabad.
7. The Superintending Engineer, Operation, TGSPDCL, Habsiguda, Hyderabad.
8. The Divisional Engineer, Elecl. Operation. Keesara, TGSPDCL, Keesara, Habsiguda
9. State of Telangana, Represented by its Principal Secretary, Energy Department, Secretariat, Hyderabad, T.G.

...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 or direction preferably Writ of Mandamus by declaring the action of the Respondents in ordering recovery of an amount of Rupees

7,65,343/- vide Memo. No. DEE/OP/KEESARA/JAO(PAS)/D.No.5445 dated 19-12-2025 of the 8th Respondent by placing reliance on subsequent material, which did not form part of enquiry proceedings, as being arbitrary, illegal, opposed to principles of natural justice, erroneous, contrary to the material on record and in violation of Article 14 of the Constitution of India and to set-aside the same accordingly in interest of justice.

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 operation of impugned Memo. No. DEE/OP/KEESARA/JAO(PAS) No.5445 dated 19-12-2025 proceeding issued by the 8th Respondent.

IA NO: 1 OF 2026

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 stay the recovery of an amount of Rupees 7,65,343/- vide Memo. No. DEE/OP/KEESARA/JAO(PAS)/D.5445 No. dated 19-12-2025 issued by the 8th Respondent, pending Appeal/representation dated 06-01-2026 and disciplinary proceedings on the analogy of orders issued in similar cases in the interest of justice.

Counsel for the Petitioner : Ms.CHEKURI JYOTSNA DEVI

**Counsel for Respondents No.1to8 : SRI N.SREEDHAR REDDY,
SC FOR TSSPDCL**

Counsel for Respondents No.9 : GP FOR ENERGY

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

THE HON'BLE SRI JUSTICE K.SARATH

WRIT PETITION No.40523 of 2025

THE 20TH DAY OF FEBRUARY 2026

Between:

S.Anil Kumar.

...Petitioner

AND

Southern Power Distribution Company of Telangana Limited,
Represented by its Chairman & Managing Director and others.

...Respondents

ORDER:

Heard Ms. Chekuri Jyotsna Devi, learned counsel for the petitioner; Sri N.Sridhar Reddy, learned Standing Counsel appearing for the respondent Nos.1 to 8. Perused the material available on record.

2. Learned counsel for the petitioner submits that the petitioner is filed this Writ Petition questioning the action of the respondents in ordering for recovery of an amount of Rs.7,65,343/- vide Memo No.DEE/OP/KEESARA/JAO(PAS)/

D.No.5445 dated 19.12.2025 issued by the respondent No.8, as illegal and arbitrary.

3. Learned counsel for the petitioner further submits that while the petitioner was working as Assistant Engineer in the respondent-Company, he was placed under suspension *vide* proceedings dated 09.03.2023 in connection with an alleged ACB case registered *vide* Cr.No.01/RST-RRR/2023. Thereafter, departmental proceedings were initiated against the petitioner *vide* charge sheet dated 05.12.2023, wherein it is alleged that on 30.01.2023, a theft had taken place due to negligence and dereliction of duties on the part of the petitioner. Also, similar charges were framed against three other Artisans along with the petitioner. But, no final orders in the departmental proceedings is passed in respect of the petitioner, whereas in respect of other three Artisans, the disciplinary proceedings have been concluded and punishment orders were issued by imposing penalty of stoppage of two annual grade increments with cumulative effect.

4. Learned counsel for the petitioner further submits that the impugned order of recovery was issued by the respondent No.8 without issuing any notice or opportunity of hearing to the petitioner, pending disciplinary proceedings, which is contrary to the principles of natural justice and requested to allow the Writ Petition by setting aside the impugned memo dated 19.12.2025, issued by the respondent No.8.

5. On the other hand, that learned Standing Counsel appearing for the respondent Nos.1 to 8, basing on the counter affidavit, submits that while the petitioner working as Assistant Engineer/Operation in the Keesara Division, due to his negligence and dereliction of duties along with three other Artisans, theft of material occurred from the Sub-Station and the petitioner being the supervising authority and the said three Artisans were responsible for the said loss. Thereafter, an enquiry was conducted against the said artisans and punishment was imposed on them.

6. Learned Standing Counsel appearing for the respondent Nos.1 to 8 further submits that, since the petitioner is under

suspension with regard to the case registered by the Anti-Corruption Bureau, no separate action has been taken against him till date. However, the Chief Engineer (O&M), *vide* Memo dated 22.10.2024, constituted a Committee comprising four senior officers, including two Superintending Engineers, to ascertain the quantum of loss arising out of the theft of material from 5 MVA Power Transformers and to submit a report. Thereafter, the Committee, upon enquiry, submitted its report recommending stringent action against the petitioner and others for lapses in discharge of their duties and also recommended for recovery of the cost of stolen material from the concerned persons.

7. Learned Standing Counsel appearing for the respondent Nos.1 to 8 further submits that, based on the said report, the impugned Memo dated 19.12.2025 was issued by the respondent No.8, directing recovery of Rs.7,65,643/- from the petitioner at 40% of the total loss caused to the respondent-Company and 20% each from the other three Artisans. As the enquiry had already been conducted and a decision was taken

to recover the loss from the concerned employees, issuance of any further notice to the petitioner is not required. Further, the impugned proceedings were issued solely for recovery of the loss occasioned by the theft of material from the Sub-Station and the petitioner being the supervising authority held liable to the extent of 40% of the loss, while the remaining 60% has been apportioned among the three Artisans at 20% each, which has no illegality or irregularity in the impugned action and in view of the same, requested to dismiss the Writ Petition.

8. After hearing both sides and perusing the material on record, this Court is of the considered view that the petitioner is questioning the impugned Memo No.DEE/OP/KEESARA/JAO(PAS)/D.No.5445 dated 19.12.2025 issued by the respondent No.8. The petitioner and other three Artisans were subjected to disciplinary proceedings for the theft of material occurred from the Sub-station. The respondent authorities have initiated disciplinary proceedings against the petitioner and other Artisans separately. The disciplinary proceedings with regard to the petitioner as on this date have not been

concluded. The disciplinary proceedings against the three Artisans were concluded and imposed punishment of stoppage of two annual increments with cumulative effect and the same is pending before the appellate authority. While it being so, the respondent authorities, without concluding the disciplinary proceedings against the petitioner and also without disposing of the appeal filed by the Artisans, issued different recovery proceedings.

9. In the instant case, the respondent authorities without fixing the liability on the petitioner and without concluding the disciplinary proceedings against him, issued the impugned recovery proceedings *vide* Memo dated 19.12.2025. The respondent authorities have constituted a Committee for recovery of loss caused due to theft of the material and conducted parallel proceedings in spite of pending disciplinary proceedings by enquiry without issuing notice to the petitioner, which is arbitrary and illegal. If the respondents want to take appropriate action for recovery of amounts besides disciplinary proceedings, they have to wait for conclusion of the disciplinary

proceedings and should also give an opportunity to the petitioner for submissions of an explanation and without doing the same, the respondents have issued the impugned recovery proceedings and the same are liable to be set aside.

10. In view of the above findings, this Writ Petition is disposed of by setting aside the impugned Memo No.DEE/OP/KEESARA/JAO(PAS)/D.No.5445 dated 19.12.2025 issued by the respondent No.8. However, this order does not preclude the respondents to take appropriate action after conclusion of the disciplinary proceedings and if any cause survives, they can issue recovery proceedings by following due process of law.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

//TRUE COPY//


**SD/-K.V.O.NARSI BABU
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Chairman and Managing Director, Southern Power Distribution Company of Telangana Limited, Mint Compound, Hyderabad, T.G.
2. The Chairman and Managing Director, Southern Power Distribution Company of Telangana Ltd. Mint Compound, Hyderabad, T.G
3. The Director, HRD TGSPDCL, Corporate Office, Mint Compound, Hyderabad, T.G.
4. The Chief General Manager (HRD), TGSPDCL, Corporate Office, Mint Compound, Hyderabad, T.G.
5. The Chief General Manager, (OandM) Rural Zone, TGSPDCL, Corporate Office, Mint Compound, Hyderabad.
6. The Chief General Manager, Operation TGSPDCL, Medchal Zone, Hyderabad.
7. The Superintending Engineer, Operation, TGSPDCL, Habsiguda, Hyderabad.
8. The Divisional Engineer, Elecl. Operation. Keesara, TGSPDCL, Keesara, Habsiguda

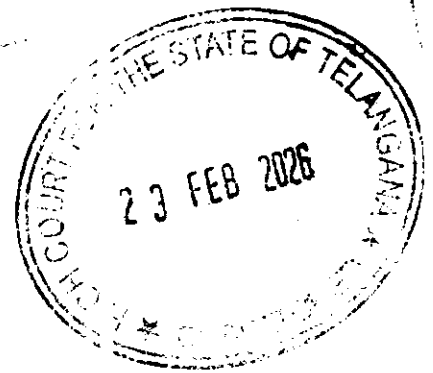
9. The Principal Secretary, Energy Department, Secretariat, Telangana State, Hyderabad, T.G.
10. One CC to Ms.CHEKURI JYOTSNA DEVI, Advocate. [OPUC]
11. One CC to SRI N.SREEDHAR REDDY, SC FOR TGSF [CL. [OPUC]
12. Two CCs to GP FOR ENERGY, High Court for the State of Telangana at Hyderabad. [OUT]
13. Two CD Copies.

 BSK

HIGH COURT

DATED:20/02/2026

CC TODAY



ORDER

WP.No.40523 of 2025

**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(16)
23/02/26
V.S