HIGH COURT FOR THE STATE OF TELANGANA: AT HYDERABAD

TUESDAY, THE FIRST DAY OF FEBRUARY TWO THOUSAND AND TWENTY TWO

PRESENT

THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

TAKEN UP WRIT PETITION (PIL) NO: 309 OF 2018

In Re....

...PETITIONER

AND

- 1. Union of India, rep. by its Secretary, Ministry of Law and Justice, Central
- 2. The State of Telangana, rep. by its Chief Secretary, Secretariat, Hyderabad
- 3. The State of Telangana, rep. by its Secretary, Law Department, Secretariat,
- 4. The State of Telangana, rep. by its Principal Secretary, Home Department,
- 5. The Director General of Police, Government of Telangana, Hyderabad District.
- 6. The Director of Prosecutions, Government of Telangana, Hyderabad District.
- 7. Telangana State Legal Services Authority, rep. by its Member Secretary, Puranihaveli, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed therewith, for the reasons stated in the Note dated 08-10-2018 and the covering letter of the Registrar General dated 10-10-2018, the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus to call for remarks and records from the respondents herein relating to and in connection with pendency of cases in the Criminal Courts in the State of Telangana; gross deficit of Public Prosecutors on regular basis; that the charge arrangements are being made in such a way that the available persons are put incharge of more than two or three Courts, which leads to overburdening of the work of the available Prosecutors causing adverse impact on due progress of the prosecutions and qualitative disposal of cases, which also retards quantitative disposals on merits. Further, taking into view all the relevant factors into consideration particularly (1) The larger interest to take due and effective prosecution in criminal jurisdiction; (2) The right of victims to have timely prosecution and due disposal of litigations on merits; (3) The right of the accused persons to have early conclusion of the trial and disposal of cases which they face, it is necessary to ensure cohesive, conducive and comprehensive management of the scenario of criminal justice delivery system as regards the conducting of prosecutions.

In view of the aforesaid, this Hon'ble Court may be pleased to issue requisite and adequate directions to the Respondents herein to ensure cohesive, conducive and comprehensive management of the scenario of criminal justice delivery system as regards the conducting of prosecutions in the State of Telangana.

For the Petitioner: Letter

Counsel for the Respondent No.1: SRI N.RAJESWAR RAO, Asst.Sol.General Counsel for the Respondent No.2: GP FOR GENERAL ADMINISTRATION Counsel for the Respondent No.3: GP FOR LAW & LEGISLATIVE AFFAIRS Counsel for the Respondent Nos.4 to 6: GP FOR HOME Counsel for the Respondent No.7: SRI J.ANIL KUMAR, SC for LSA

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA AND

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

TAKEN UP WRIT PETITION (PIL).No.309 of 2018

ORDER: (Per the Hon'ble the Chief Justice Satish Chandra Sharma)

The present writ petition has been registered on the basis of a Note dated 08.10.2018 with regard to the deficiency of Assistant Public Prosecutors/Public Prosecutors in the Criminal Courts in the State of Telangana, which were not being filled up by the Government.

This Court has monitored the process of selection and the facts reveal that 151 vacancies were notified for the post of Assistant Public Prosecutors by the Telangana State Level Police Recruitment Board and only 130 candidates have qualified in the written examination and finally 92 candidates were selected. The respondents have issued appointment orders in respect of 89 candidates. However, in two cases as criminal cases are pending, no appointment orders have been issued. In respect of one case, based on the intelligence report, again in which it was stated that some criminal case was registered against the applicant thereunder, the matter has been referred to the Government. Meaning thereby, out of 92 selected candidates, 89 candidates have been appointed.

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In the light of the aforesaid, no further orders are required to be passed in the present writ petition.

The writ petition is accordingly disposed of.

The miscellaneous applications pending, if any, shall stand closed.

> SD/-T.TIRUMALA DEVI ASSISTANT REGISTRAR

//TRUE COPY//



SECTION OFFICER

- 1. Two CCs to the GP for General Administration, High Court for the State of Telangana [OUT]
- 2. Two CCs to the GP for Law & Legislative Affairs, High Court for the State of Telangana [OUT]
- Two CCs to the GP for Home, High Court for the State of Telangana [OUT]
 One CC to Sri N.Rajeswar Rao, Asst. Sol.General [OPUC]
 One CC to Sri J.Anil Kumar, SC for LSA [OPUC]

- 6. Two C.D. Copies.
- One Spare Copy.

MRC SB

HIGH COURT

DATED:01/02/2022



ORDER

TAKEN UP WP (PIL).No.309 of 2018

DISPOSING OF THE TAKEN UP WP (PIL)