IN THE HON'BLE HIGH COURT OF TELANGANA
AT HYDERABAD

WP No. of 2023

Between

Dr. K. Chandra Sekharaiah,
Proffessor of CSE, JNTUH
Plot No. 166, Near Radha Madhav Apartments Junction,
Pragathi Enclave Colony, Miyapur,
Hyderabad – 500049

…Petitioner

AND

1. Jawaharlal Nehru Technological University Hyderabad,
   Rep. by its Registrar, Kukatpally,
   Hyderabad – 500085.

2. Registrar, Jawaharlal Nehru Technological University Hyderabad,
   Kukatpally, Hyderabad – 500085.

3. The Principal, Jawaharlal Nehru Technological University Hyderabad,
   University College of Engineering, Sultanpur,
   Sultanpur (Village), Pulka(Mandal), Sangareddy(District), Telangana.

…Respondents

AFFIDAVIT

I, Dr. K. Chandra Sekharaiah, Professor of CSE, JNTUH, R/o. Plot No. 166, Near Radha Madhav Apartments Junction, Pragathi Enclave Colony, Miyapur, Hyderabad, 500049, do hereby solemnly affirm and sincerely state on oath as follows:

1. I submit that I am the petitioner herein as such I am well acquainted with the facts of the case.

2. I submit that I am a Professor of senior most service in Computer Science and Engineering (hereinafter referred to as "CSE") department of Jawaharlal Nehru Technological University Hyderabad (hereinafter referred to as "JNTUH"). I submit that I am a Post Graduate in Computer Science, did my Ph.D. from IIT, Madras, Postdoc at University of Jyvaskyla, Finland, M.Sc. (Applied Psychology) from Annamalai University, Chidambaram. I have been working with JNTU since 1989 and in my career as an employee of JNTU, I've held various designations and occupied various positions in the University. I submit that initially, I joined as Technical Assistant on 2nd November 1989 at JNTU College of Engineering, Kakinada. Subsequently, I was recruited as Lecturer in C.Sc. & Engineering, thereafter, as Lecturer Selection Grade. Then I was designated as Associate Professor and finally as Professor in the department of CSE at JNTUH. Besides the above, I also held various positions in JNTU such as HoD of CSE department at JNTU, College of Engineering at Kakinada from 2008 to 2009, HoD of CSE department at JNTUH College of Engineering at Kondagattu, Jagithyala from 2009 to 2010, NCC Care Taker at JNTU College of Engineering at Kakinada, NCC Care Taker at JNTU College of Engineering at Kukatpally, Hyderabad. My whole professional career is associated with JNTU and nothing else. I further submit that I also have been heading a Research & Development (R&D) group by the name of People's Governance Forum and under my guidance the members of the R&D group who are students of JNTUH have had 40+ publications, achieved various academic excellencies and received numerous awards. Moreover, under my able guidance, 3 students of JNTUH have submitted their Ph.D. thesis successfully.

3. I further submit that during my career with JNTU, I have undergone a great number of transfers / workplace displacements, more than any other teaching

as well as non-teaching staff. Initially, I started my career as Technical Assistant at JNTU, Kakinada in the year 1989. Thereafter, I was transferred from Kakinada to Kukatpally in the year 1992, from Kukatpally to Anantapur in the year 1993, from Anantapur to Kukatpally in 1994, from Kukatpally to IIT Madras to pursue Ph.D. on deputation in 1997, from IIT Madras to Kukatpally in the year 2002 after submission of my Ph.D. thesis, from Kukatpally to Kakinada in 2006, from Kakinada to Kondagattu, Jagithyala in 2009, from Kondagattu, Jagithyala to Kukatpally in 2010, from Kukatpally to Manthani in the year 2019. I submit that no other staff of JNTU has gone through this number of transfers / workplace displacements in the history of JNTU, except me.

4. While things stood thus, the 2nd Respondent had issued proceedings vide Procs.No.C3/7014/2022(3) dt. 21.12.2022 transferring me from JNTUH University College of Engineering, Manthani (hereinafter referred to as "JNTUH, Manthani") to JNTUH University College of Engineering, Sultanpur (hereinafter referred to as "JNTUH, Sultanpur"). Thereafter, the Principal of JNTUH, Manthani had issued proceedings vide Letter No. JNTUHUCEM/Estt./RLO/2022 dt. 28.12.2022 relieving me from my duties at JNTUH, Manthani. In pursuance and by complying the above said orders, I reported for my duty at JNTUH, Sultanpur on 04.01.2023 and I apprised the 3rd Respondent, Principal of JNTUH, Sultanpur about my joining. The 3rd Respondent, by being ignorant had failed to assign any role and responsibilities to me and further asked me to meet the 2nd Respondent Registrar as well as Vice Chancellor (hereinafter referred to as "VC") of JNTUH at Kukatpally campus to get instructions from them. Later, on the same day I went to meet VC and the 2nd Respondent and I informed their PAs that I had come to meet VC and the Registrar on being requested by the Principal of JNTUH, Sultanpur to meet them. But, I was not given

appointment to meet them on that day as they were preoccupied with their own works. On the next day, I again tried to meet the 2nd Respondent but I was unable to meet him on that day as well therefore, I submitted a letter apprising him about my joining at JNTUH, Sultanpur on 04.01.2023, requested him to pay Travel Allowances and Dearness Allowances in view of my transfer from Manthani to Sultanpur and also informed him that I was going to avail winter vacation from 05.01.2023 to 19.01.2023 as VC vide order dt. 22.11.2022 had declared winter vacation for the University Colleges and Units of JNTUH from 21.12.2022 to 19.01.2023. As I reported back at JNTUH, Sultanpur in the morning session on 20.01.2023 to resume my duties, I found that my name had not been included in the faculty attendance register. Then I went to Principal's office to meet and ask him about non-inclusion of my name in the faculty register as well as to get my work instructions. But the Principal was not there when I went to his office, hence I tried to leave a letter at the Principal's Office but the PA to the Principal with callous, insensible and rude attitude had neither received my letter not acknowledged it. Then, on the next day I went to meet the 2nd Respondent Registrar who again failed to give appointment to me. However, I dispatched a letter to the Registrar through University's letter dispatching system expressing the inconvenience that I had to face at JNTUH, Sultanpur in view of inaction of the 3rd Respondent in giving any work instructions to me as well as about the maladministration therein.

5. I submit that thereafter, whenever I tried to meet the 3rd Respondent, he tended to avoid me on one pretext or other and failed to include my name in the faculty attendance register as well as failed to assign me any teaching role in the campus and he further used to ask me to meet the 2nd Respondent and VC without giving any reasons as to why I should meet them. However, I made numerous attempts to meet the 2nd Respondent Registrar and made

several representations about the irresponsible and insensible attitude of University's administrative authorities towards a senior most Professor of the University and failure of the 3rd Respondent to assign me any teaching responsibilities. However, I submit that in the meanwhile, I came to know that the 2nd Respondent addressed a letter to the Principal of Gokaraju Rangaraju Institute of Engineering and Tenchnology (GRIET), Bachupally, Kukatpally, Hyderabad, vide Lr. No. D1/960/2023 dt. 04.01.2023, wherein the 2nd Respondent had informed the addressee about nominations of faculty members of JNTUH as members of Board of Studies (BoS) of GRIET for a period of two years. I was appointed as one of the members of BoS for the department of CSBS and my credentials in the said letter were shown as Professor of CSE, JNTUH, Sultanpur. Subsequently, another letter was addressed by the 2nd Respondent to the Principal of CVR College of Engineering (CVRCE), Mangalpalli (V), IbrahimPatnam (M), R. R. District vide Lr. No. D1/960/2023 dt. 06.01.2023, wherein the 2nd Respondent was informing the addressee that Vice Chancellor was pleased to nominate Dr. K. Chandra Sekharaiah, Prof. of CSE, JNTUH, Sultanpur i.e., myself as a BoS member for the Department of B.Tech CSE (AI&ML), B.Tech CSE (DS) and B.Tech CSE (CS) of CVR college for a period of up to 01.12.2024 from the date of issue of the said letter. Subsequently, the Chairman of BoS for department of CSBS of GRIET, Hyderabad addressed a letter to me on 23.01.2023 requesting my presence at BoS meetings that are to be held at CSBS department of GRIET. HoD of CSE department of CVRCE had also addressed a letter dt. 25.01.2023 requesting for my presence in the BoS meeting of CSE department that was scheduled on 27.01.2023 at CVRCE, Ibrahimpatnam. Further, the Principal of CVRCE had also addressed a letter dt. 25.01.2023 to me requesting to deliver a Technical Talk for the faculty members of Departments of CSE, ET and IT of CVRCE on 30.01.2023. By duly respecting the letters of the 2nd Respondent dt. 04.01.2023 &

06.01.2023 and subsequent letters from representatives of CVRCE, I attended BoS meetings held on 27.01.2023 & on 30.01.2023 and participated in deliberations therein in CVRCE in my official capacity and as a nominee of JNTUH from UCE, Sultanpur.

6. I further submit that I have been consistently writing letters to the 2nd Respondent with regard to disarraying of my services in view of inaction of the 3rd Respondent in assigning me any teaching responsibilities at JNTUH, Sultanpur as well as in not including my name in staff register. At last I got an opportunity to meet the 2nd Respondent on 17.02.2023 and when I raised my issues with him with respect to victimization / humiliation that I was meted out to and about disarraying of my services since I got transferred from JNTUH, Manthani to JNTUH, Sultanpur, to my utter shock and surprise, the 2nd Respondent had handed over me an order dt. 03.01.2023 issued by the 2nd Respondent himself vide Procs.No.C3/7014/2022 whereby the 2nd Respondent had cancelled the proceedings dt. 21.12.2022 and retained me to JNTUH, Manthani on the ground that I had not joined in JNTUH, Sultanpur as on 03.01.2023. I submit that the order dt. 03.01.2023 is against the proceedings issued by the 2nd Respondent vide Lr. No. D1/960/2023 dt. 04.01.2023 and Lr. No. D1/960/2023 dt. 06.01.2023 which were issued subsequent to the order dt. 03.01.2023 whereby I was recognized as Professor of CSE department at JNTUH, Sultanpur. If vide an order of 2nd Respondent dt. 03.01.2023 I was retained back to JNTUH, Manthani how come the letters issued by the 2nd Respondent himself on 04.01.2023 and 06.01.2023 recognises me as Professor of CSE department at JNTUH, Sultanpur. Therefore, the genuinity and authenticity of the order dt. 03.01.2023 issued by the 2nd Respondent vide Procs.No.C3/7014/2022 is questionable. I further submit that the Principal of JNTUH, Manthani had relieved me from my services at JNTUH, Manthani on 28.12.2022 and I

joined in JNTUH, Sultanpur on 04.01.2023 i.e., within one week from getting relieving orders I joined in JNTUH, Sultanpur. I submit that as per common practice in the JNTU, whenever a transfer is effected from one place to another place, not within the same city, one week's time would be granted for the employee to report at the transferred place as employees have to shift their residence. In the same manner, I reported at JNTUH, Sultanpur on 04.01.2023 i.e., within one week from 28.12.2022, the date I was relieved from my services at JNTUH, Manthani. I further submit that as I had to shift my residence from Manthani to Sultanpur and as well as in view of demise of my aunt whose rituals I had to attend, I availed some time to report at JNTUH, Sultanpur however, I joined within one week's time. In spite of that the 2nd Respondent had issued an order dt. 03.01.2023 vide Procs.No.C3/7014/2022 cancelling transfer order dt. 21.12.2022 and retaining me back to JNTUH, Manthani on the ground that I had not joined in JNTUH, Sultanpur as on 03.01.2023.

7. I submit that the order of the 2nd Respondent vide Procs.No.C3/7014/2022 dt. 03.01.2023 cancelling my earlier transfer order from JNTUH, Manthani to JNTUH, Sultanpur and retaining me back to JNTUH, Manthani is illegal, arbitrary and against his own proceedings dt. 04.01.2023 and 06.01.2023. I submit that the 2nd Respondent had issued the order dt. 03.01.2023 with mala fide intention to wreak vengeance on me and in connivence and collusion with the 3rd Respondent as I have been constantly questioning various administrative actions / inactions of the 2nd and 3rd Respondents by filing RTI applications. I futher submit that I have not been paid salary since my joining at JNTUH, Sultanpur. The mismanagement / maladministration of 2nd and 3rd Respondents resulted in disarraying of my services with JNTUH and had caused me severe mental agony.

8. Therefore, I submit that for the reasons stated supra, the action of the 2nd Respondent in issuing the order dt. 03.01.2023 vide Procs.No.C3/7014/2022 cancelling the earlier transfer order issued by the 2nd Respondent vide Procs.No.C3/7014/2022(3) dt. 21.12.2022 and retaining me in JNTUH, Manthani is highly arbitrary, illegal and against the principles of natural justice. Hence, if this Hon'ble Court is not pleased to set aside the order dt. 03.01.2023 issued by the 2nd Respondent vide Procs.No.C3/7014/2022, I would be put to irreparable harm and hardship for no fault of mine.

9. I submit that I have not filed any other writ or any other legal proceeding seeking the relief sought for in this Writ Petition.

10. I submit that I have no other alternative, effective and speedy remedy except to invoke the Writ jurisdiction of this Hon'ble Court as enshrined under Article 226 of the Constitution of India by way of filing this Writ Petition.

Under the facts and circumstances detailed above, it is prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of a Writ of Mandamus declaring the action of the 2nd Respondent in issuing the order dt. 03.01.2023 vide Procs.No.C3/7014/2022 thereby cancelling the earlier transfer order issued by the 2nd Respondent vide Procs.No.C3/7014/2022(3) dt. 21.12.2022 as illegal, arbitrary and against the principles of natural justice and consequently set aside the same and to pass such other order or orders as this Hon'ble Court may deem fit and necessary in the interests of justice.

It is further prayed that pending disposal of the Writ Petition, this Hon'ble Court may be pleased to stay the operation of the order issued by the 2nd Respondent vide Procs.No.C3/7014/2022 dt. 03.01.2023, to streamline my services at JNTUH, Sultanpur since my joining date i.e., from 4th January, 2023, to pay salary in continuation of latest salary payment made and to pass such other order or orders as this Hon'ble Court may deem fit and necessary in the interests of justice.

Sworn and signed before me on this
The____th day of March 2023 at
Hyderabad.

DEPONENT

ADVOCATE, HYD

VERIFICATION STATEMENT

I, Dr. K. Chandra Sekharaiah, Professor of CSE, JNTUH, R/o. Plot No. 166, Near Radha Madhav Apartments Junction, Pragathi Enclave Colony, Miyapur, Hyderabad, 500049, do hereby declare that the facts stated above are true and correct to the best of my knowledge, belief and information. Hence verified on this the ___th day of March 2023 at Hyderabad.

COUNSEL FOR THE PETITIONERS

DEPONENT