



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3329]

THURSDAY, THE NINETEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 3572/2023

Between:

1.GEDALA LAKSHMI GANESWARA RAO, S/O MARKANDEYULU,
HINDU, AGED ABOUT 61 YEARS, RTD. INSPECTOR OF
SURVEYOR, R/O FLAT NO.303, SUVARNA RESIDENCY, SRINAGAR,
RAMA TALKIES LANE, VISAKHAPATNAM-16.

...PETITIONER

AND

- 1.THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY,
REVENUE DEPT. SECRETARIAT, VELAGAPUDI, AMARAVATHI.
- 2.THE COMMISSIONER OF SURVEY SETTLEMENTS AND LAND
RECORDS, ANDHRA PRADESH, VIJAYAWADA.
- 3.THE DIRECTOR OF SURVEY SETTLEMENTS AND LAND RECORDS
OFFICE, VIZIANAGARAM, VIJZIANAGARAM DISTRICT.
- 4.THE ACCOUNTANT GENERAL, 27, M.G. ROAD, GOVERNOR PETA,
VIJAYAWADA, ANDHRA PRADESH 520002.

...RESPONDENT(S):

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 orders more in the nature of Writ of Mandamus declaring the impugned action of the respondent Nos.2 to 4 in not releasing pensionary benefits inspite of the orders issued by the 1st respondent vide his proceedings G.O.Rt.No.788 Revenue (Vigilance-I) Department dated 23.09.2022 sanctioning the 75 percent of Provisional

Pension is illegal, unwarranted, unjust, discrimination, and violation of Articles 14, 21 of the Constitution of India and consequently direct the respondent Nos.2 to 4 to release the Provisional Pension and pass such other orders.

IA 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 direct the respondent Nos.2 to 4 to release the Provisional Pension as per the direction of the 1st respondent vide G.O.Rt.No.788 Revenue (Vigilance-I) Department dated 23.09.2022 pending disposal of the above writ petition and pass such other orders.

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 grant leave for filing of the reply affidavit and pass such other orders.

Counsel for the Petitioner:

1. MAHADEVA KANTHRIGALA

Counsel for the Respondent(S):

1. GP FOR SERVICES I

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**WRIT PETITION NO: 3572 OF 2023****ORDER:**

This writ petition is filed declaring the impugned action of the respondent Nos.2 to 4 in not releasing pensionary benefits inspite of the orders issued by the 1st respondent vide his proceedings G.O.Rt.No.788 Revenue (Vigilance-I) Department dated 23.09.2022 sanctioning the 75% of provisional pension is illegal.

2. During hearing, learned counsel for the petitioner submits that respondent Nos.2 to 4 had not released the pensionary benefits inspite of the orders issued by the 1st respondent vide proceedings G.O.Rt.No.788 Revenue (Vigilance-I) Department, dated 23.09.2022, sanctioning for payment of 75% of provisional pension in favour of the petitioner.

3. On the other hand, respondent No.2/Commissioner, Services, Settlements and Land Records filed detailed counter-affidavit. On the basis of the said counter-affidavit learned Assistant Government Pleader for Services-I would submit that the Government had sanctioned provisional pension at the rate of 75% eligible to the retired officer from the date of receipt of acquittal orders of the Hon'ble High Court without prejudice to the pending finalization of criminal/disciplinary cases against him. The date of retirement is also finalized vide this office Proc.L1/REV05/75/2018, dated 13.01.2023. The Principal Accountant General (A&E), Andhra Pradesh, Vijayawada has sanctioned the provisional pension to the petitioner vide Letter No.PAG (A&E)/P3IV/G-62-

SP143/2023-02/14754, dated 08.03.2023. In view of the fact that the petitioner has been sanctioned the provisional pension vide letter dated 08.03.2023. Learned Assistant Government Pleader requested this Court to dismiss the writ petition.

4. Learned counsel for the petitioner filed re-joinder denying the allegations made by the respondent while reiterating the contentions raised in the affidavit.

5. It is observed that, the respondent Nos.2 to 4 paid the 75% of the provisional pension as per the proceedings of the 1st respondent G.O.Rt.No.788 Revenue (Vigilance-I) Department, dated 23.09.2022. In view of the clear and specific orders issued by the 1st respondent, no further orders are necessary in the writ petition.

6. Recording the said submissions, the Writ Petition is closed. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

VENKATESWARLU NIMMAGADDA, J

19.02.2026
RMR

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HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

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19.02.2026

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