

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
MONDAY, THE TWENTY THIRD DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE BATTU DEVANAND
AND

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

WA NO: 144, 145 & 148 OF 2026



WA.No.144 OF 2026

(Writ Appeal under clause 15 of the Letters Patent is filed being aggrieved by the Order dated 29.01.2026 passed in W.P.No.29330 of 2024 on the file of the High Court)

Between:

S. Mohan, S/o.S. Krishnamurthy, Aged about 60 years, Occ. Working as Principal at Andhra Pradesh Tribal Welfare Residential (APTWR) Boys School Rentachintala, Guntur District

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Special Chief Secretary, Department of Finance (HR IV-FR & LR) Velagapudi, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Tribal Welfare Department, Velagapudi, Amaravathi, Guntur District.
3. The Andhra Pradesh Tribal Welfare Residential, Educational institution society (Gurukulam) Tadepalli, Guntur District Rep. by its Secretary
4. The Andhra Pradesh Tribal Welfare Residential, School Boys at Rentachintala, Guntur District.

...Respondents

IA NO: 2 OF 2026:

Appeal under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ appeal, the High Court may be pleased to direct the respondents to continue me in service in the 4th respondent school as principal till I attain the age of superannuation pursuant to the G.O.Ms.No.15 dt:31.01.2022, pending disposal of WA.No.144 of 2026, on the file of the High Court.

WA NO: 145 OF 2026:

(Writ Appeal under clause 15 of the Letters Patent is filed being aggrieved by the Order dated 29.01.2026 passed in W.P.No.7593 of 2025 on the file of the High Court)

Between:

M. Jayakar Jhonson, S/o Medapati Israel, Aged about 60 years, Occ Working as Junior Lecturer in Civics at Andhra Pradesh Tribal Welfare Residential (APTWR) Junior College for Boys, Jeelugumalli, West Godavari District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Special Chief Secretary, Department of Finance (HR IV-FR and LR) Velagapudi, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Tribal Welfare Department, Velagapudi, Amaravathi, Guntur District.
3. The Andhra Pradesh Tribal Welfare Residential Educational institution society (Gurukulam), Rep. by its Secretary
4. The Andhra Pradesh Tribal Welfare Residential (APTWR), Junior College for Boys, Jeelugumalli, West Godavari District.

...Respondents

IA NO: 2 OF 2026:

Appeal under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ appeal, the High Court may be pleased to direct the respondents to continue me in service in the 4th respondent school as Junior Lecturer till I attain the age of superannuation pursuant to the G.O.Ms.No.15 dt:31.01.2022, pending disposal of WA.No.145 of 2026, on the file of the High Court.

WA NO: 148 OF 2026:

(Writ Appeal under clause 15 of the Letters Patent is filed being aggrieved by the Order dated 29.01.2026 passed in W.P.No.14503 of 2025 on the file of the High Court)

Between:

B.Vijaya Kumar, S/o Ananda RAO, aged about 60 years, Occ: Working as Principal At Andhra Pradesh Tribal Welfare Residential (APTWR) Girls School, Tenali, Guntur District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Special Chief Secretary, Department of Finance (HR IV-FR and LR) Velagapudi, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Tribal Welfare Department, Velagapudi, Amaravathi, Guntur District.
3. The Andhra Pradesh Tribal Welfare Residential Educational institution society (Gurukulam), Tadepalli, Guntur District, Rep. by its Secretary
4. The Andhra Pradesh Tribal Welfare Residential School Boys, Tenali, Guntur District.

...Respondents

IA NO: 2 OF 2026:

Appeal under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ appeal, the High Court may be

pleased to direct the respondents to continue me in service in the 4th respondent school as Principal till I attain the age of superannuation pursuant to the G.O.Ms.No.15 dt:31.01.2022, pending disposal of WA.No.148 of 2026, on the file of the High Court.

The Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri S.Lakshminarayana Reddy, Advocate for the Petitioner and GP for Services-I for Respondent No.1 and GP for Services-II for Respondent No.2 and Sri P.Ravi Kumar, Standing counsel for Respondent Nos.3 & 4;

ORDER:

Heard the respective counsel and perused the material available on record.

The Writ Petitions filed by the appellants seeking to continue in service up to the age of 62 years in terms of the G.O.Ms.No.15, Finance (HR-IV-FR&LR), Department, dated 31.01.2022, till consideration of the proposal sent by the Andhra Pradesh Tribal Welfare Residential Educational Institution Society (Gurukulam), dated 20.05.2022.

The same are disposed of by a learned Single Judge of this Court by way of a common order, dated 29.01.2026 directing the State Government to consider the feasibility for enhancement of age of Superannuation of employees of the Respondent-Society from 60 to 62 years, as expeditiously as possible, preferably within a period of four (04) months from the date of receipt of copy of the order. It is also made clear that till a concrete decision is taken by the State Government, the petitioners and similar employees of the respondent-society are not entitled for continuation beyond the age of 60 years.

During the course of hearing today, the learned Government Pleader for Services-I appearing for the Finance Department, on written instructions, would submit that the Committee of Hon'ble Ministers, constituted by the State Government, held a meeting on 05.01.2026 to consider the enhancement of age of retirement of the employees,

working in Societies and Institutions included in the Schedules IX and X of the Andhra Pradesh Reorganization Act, 2014, and they sought certain information from the various Departments and the same was furnished to the Committee and now the Committee has to hold a meeting to take a decision on this aspect. For that purpose, he sought three (03) weeks time.

On the other hand, the learned Government Pleader for Services-II appearing for the Tribal Welfare Department has placed on record a letter, dated 18.07.2025, issued by the Tribal Welfare (EDN) Department, wherein, it is stated that the proposal submitted by the Secretary, APTWREIS (Gurukulam), Tadepalli, seeking consideration for enhancement of the age of superannuation of employees to 62 years, in terms of G.O.Ms. No. 15, Finance (HR-IVFR&LR) Department, dated 31.01.2022, has been examined by the Government and found not feasible and accordingly, the said proposal has been rejected.

On hearing the contention of the learned Government Pleader for Services-I appearing for the Finance Department and the contention of the learned Government Pleader for Services-II appearing for the Tribal Welfare Department, it is clear that there is no consistency in the stand of the State Government on this issue.

On one hand, the Government is contending that the issue is under the consideration of the Committee of Hon'ble Ministers and on the other hand, the letter, dated 18.07.2025 of the Tribal Welfare Department, reveals that the proposal sent by the Society on this aspect is already rejected.

Under these circumstances, the direction Nos.1 & 2 issued by the learned Single Judge while disposing the Writ Petitions by a common order, appears to be, unenforceable.

Learned counsel for the petitioners/appellants brought to the notice of this Court that out of the three appeals before this Court, the appellants in two appeals are continued in service by virtue of interim

orders passed by this Court, during pendency of the Writ petition and after disposal of the Writ Petitions also they are continued till date. Whereas, in Writ Appeal No.145 of 2026, the appellant is not allowed to continue in spite of interim orders, dated 28.06.2024 passed by this Court, till now.

Considering all these facts and circumstances, we are of the prima facie opinion that there is no consistency in the State Government on this issue, so as to continue the petitioners/appellants working in the respondent No.3/Society or not, till the decision to be taken by the Hon'ble Ministers Committee. Besides this, the respondents are showing discrimination in implementing the orders of this Court, which is in violation of the Article 14 of the Constitution of India.

In view of the above, the respondents are directed to allow the appellants forthwith to continue in service till appropriate decision taken by the Government on this aspect or pending further orders of this Court.

Sd/- G.Hela Naidu
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Chief Secretary, State of Andhra Pradesh, Department of Finance (HR IV-FR & LR) Velagapudi, Amaravathi, Guntur District.
2. The Principal Secretary, State of Andhra Pradesh, Tribal Welfare Department, Velagapudi, Amaravathi, Guntur District. (Addressee Nos.1 & 2 by **Special Messenger**)
3. The Secretary, Andhra Pradesh Tribal Welfare Residential Educational institution society (Gurukulam), Tadepalli, Guntur District.
4. The Andhra Pradesh Tribal Welfare Residential School Boys, Tenali, Guntur District
5. The Secretary, Andhra Pradesh Tribal Welfare Residential Educational Institution Society (Gurukulam)

6. The Andhra Pradesh Tribal Welfare Residential (APTWR), Junior College for Boys, Jeelugumalli, West Godavari District.
7. The Andhra Pradesh Tribal Welfare Residential, School Boys at Rentachintala, Guntur District. (Addressee Nos.3 to 7 by **RPAD**)
8. One CC to Sri. S.Lakshminarayana Reddy, Advocate [OPUC]
9. Two CCs to GP for Services I, High Court of Andhra Pradesh. [OUT]
10. Two CCs to GP for Services-II, High Court of AP [OUT]
11. One CC to Sri P.Ravi Kumar, Standing Counsel [OPUC]
12. Two spare copies

HIGH COURT

DEV,J
&
SS,J

DATED:23/02/2026

LIST THE APPEAL ON 16.03.2026

ORDER

WA.No.144, 145 & 148 of 2026

DIRECTION





(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

**MONDAY, THE TWENTY THIRD DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

THE HONOURABLE SRI JUSTICE BATTU DEVANAND

AND

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

WA NO: 144, 145 & 148 OF 2026

WA.No.144 OF 2026:

Between:

S. Mohan, S/o.S. Krishnamurthy, Aged about 60 years, Occ. Working as
Principal at Andhra Pradesh Tribal Welfare Residential (APTWR) Boys
School Rentachintala, Guntur District

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Special Chief Secretary,
Department of Finance (HR IV-FR & LR) Velagapudi, Amaravathi,
Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Tribal
Welfare Department, Velagapudi, Amaravathi, Guntur District.
3. The Andhra Pradesh Tribal Welfare Residential, Educational
institution society (Gurukulam) Tadepalli, Guntur District Rep. by its
Secretary
4. The Andhra Pradesh Tribal Welfare Residential, School Boys at
Rentachintala, Guntur District.

...Respondents

WHEREAS the Appellant above named through his Advocate Sri
S.LAKSHMINARAYANA REDDY presented this Appeal under Clause 15

of Letter Paten Act, praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to set aside the order of the learned Single Judge dated 29.01.2026 passed in W.P.No.29330 of 2024;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri S.Lakshminarayana Reddy, Advocate for the Petitioner and GP for Services-I for Respondent No.1 and GP for Services-II for Respondent No.2 and Sri P.Ravi Kumar, Standing counsel for Respondent Nos.3 & 4, directed issue of notice to the Respondents herein to show cause as to why this WRIT APPEAL should not be admitted.

You viz:

1. The Special Chief Secretary, State of Andhra Pradesh, Department of Finance (HR IV-FR & LR) Velagapudi, Amaravathi, Guntur District.
2. The Principal Secretary, State of Andhra Pradesh, Tribal Welfare Department, Velagapudi, Amaravathi, Guntur District.
3. The Secretary, Andhra Pradesh Tribal Welfare Residential, Educational institution society (Gurukulam) Tadepalli, Guntur District
4. The Andhra Pradesh Tribal Welfare Residential, School Boys at Rentachintala, Guntur District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT APPEAL should not be admitted on or before 16.03.2026 for which date the case stands posted for hearing;

WA NO: 145 OF 2026:

Between:

M. Jayakar Jhonson, S/o Medapati Israel, Aged about 60 years, Occ Working as Junior Lecturer in Civics at Andhra Pradesh Tribal Welfare

Residential (APTWR) Junior College for Boys, Jeelugumalli, West
Godavari District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Special Chief Secretary,
Department of Finance (HR IV-FR and LR) Velagapudi, Amaravathi,
Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Tribal
Welfare Department, Velagapudi, Amaravathi, Guntur District.
3. The Andhra Pradesh Tribal Welfare Residential Educational
institution society (Gurukulam), Rep. by its Secretary
4. The Andhra Pradesh Tribal Welfare Residential (APTWR), Junior
College for Boys, Jeelugumalli, West Godavari District.

...Respondents

WHEREAS the Appellant above named through his Advocate Sri
S.LAKSHMINARAYANA REDDY presented this Appeal under Clause 15
of Letter Paten Act, praying that in the circumstances stated in the affidavit
filed therewith, the High Court may be pleased to set aside the order of the
learned Single Judge dated 29.01.2026 passed in W.P.No.7593 of 2025;

AND WHEREAS the High Court upon perusing the petition and
affidavit filed herein and upon hearing the arguments of Sri
S.Lakshminarayana Reddy, Advocate for the Petitioner and GP for
Services-I for Respondent No.1 and GP for Services-II for Respondent
No.2 and Sri P.Ravi Kumar, Standing counsel for Respondent Nos.3 & 4,
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4. The Andhra Pradesh Tribal Welfare Residential (APTWR), Junior College for Boys, Jeelugumalli, West Godavari District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT APPEAL should not be admitted on or before 16.03.2026 for which date the case stands posted for hearing;

WA NO: 148 OF 2026:

Between:

B. Vijayakumar, S/o Ananda Rao Aged about 60 years, Occ Working as Principal at Andhra Pradesh Tribal Welfare Residential (APTWR) Girls School Tenali, Guntur District

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Special Chief Secretary, Department of Finance (HR IV-FR and LR) Velagapudi, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Tribal Welfare Department, Velagapudi, Amaravathi, Guntur District.

3. The Andhra Pradesh Tribal Welfare Residential Educational institution society (Gurukulam), Tadepalli, Guntur District Rep. by its Secretary
4. The Andhra Pradesh Tribal Welfare Residential School Boys, Tenali, Guntur District

...Respondents

WHEREAS the Appellant above named through his Advocate Sri S.LAKSHMINARAYANA REDDY presented this Appeal under Clause 15 of Letter Paten Act, praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to set aside the order of the learned Single Judge dated 29.01.2026 passed in W.P.No.14503 of 2025;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri S.Lakshminarayana Reddy, Advocate for the Petitioner and GP for Services-I for Respondent No.1 and GP for Services-II for Respondent No.2 and Sri P.Ravi Kumar, Standing counsel for Respondent Nos.3 & 4, directed issue of notice to the Respondents herein to show cause as to why this WRIT APPEAL should not be admitted.

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3. The Secretary, Andhra Pradesh Tribal Welfare Residential Educational institution society (Gurukulam), Tadepalli, Guntur District.
4. The Andhra Pradesh Tribal Welfare Residential School Boys, Tenali, Guntur District

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT APPEAL should not be admitted on or before 16.03.2026 for which date the case stands posted for hearing;

The Court made the following:

ORDER:

Notice before admission.

Learned Government Pleader for Services-I takes notice to the respondent No.1.

Learned Government Pleader for Services-II takes notice to the respondent No.2.

Mr.P.Ravi Kumar, learned Standing Counsel takes notice for the respondent Nos.3 & 4.

List the appeals on 16.03.2026.

**Sd/- G.Hela Naidu
DEPTY REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Special Chief Secretary, State of Andhra Pradesh, Department of Finance (HR IV-FR & LR) Velagapudi, Amaravathi, Guntur District.
2. The Principal Secretary, State of Andhra Pradesh, Tribal Welfare Department, Velagapudi, Amaravathi, Guntur District. (Addressee Nos.1 & 2 by **Special Messenger** along with a copy of petition and affidavit)
3. The Secretary, Andhra Pradesh Tribal Welfare Residential Educational institution society (Gurukulam), Tadepalli, Guntur District.

4. The Andhra Pradesh Tribal Welfare Residential School Boys, Tenali, Guntur District
5. The Secretary, Andhra Pradesh Tribal Welfare Residential Educational Institution Society (Gurukulam)
6. The Andhra Pradesh Tribal Welfare Residential (APTWR), Junior College for Boys, Jeelugumalli, West Godavari District.
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HIGH COURT

DEV,J

&

SS,J

DATED:23/02/2026

LIST THE APPEALS ON 16.03.2026

NOTICE BEFORE ADMISSION

WA.No.144, 145 & 148 of 2026

