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APHC010107132026



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

[3460]

WEDNESDAY, THE 5th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 5767/2026

Between:

1. PEMATSA DURGA BHAVANI, W/O. PEMATSA VENKATA
SUBBA RAJU, AGED ABOUT 59 YEARS, OCC TEACHER, R/O.
D. NO. 9-245/5, RAMA LAKSHMAN NAGAR, NEAR D.N.R.
COLLEGE, BHIMAVARAM, WEST GODAVARI DISTRICT,
ANDHRA PRADESH-534201

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, DEPARTMENT OF SCHOOL EDUCATION, A.P.
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI,
GUNTUR DISTRICT, ANDHRA PRADESH - 522238.
2. THE COMMISSIONER OF SCHOOL EDUCATION, 4TH FLOOR,
B BLOCK, VTPS RD, BHIMARAJU GUTTA, IBRAHIMPATNAM,
KRISHNA DISTRICT, ANDHRA PRADESH-521456.
3. THE DISTRICT EDUCATION OFFICER, WEST GODAVARI
DISTRICT, ANDHRA PRADESH - 534203.
4. THE DISTRICT SELECTION COMMITTEE, ERSTWHILE WEST
GODAVARI DISTRICT, ANDHRA PRADESH. - 534001.

...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 direction particularly, one in the nature of writ of Mandamus, declaring the action of the respondent no. 1 in not regularizing the petitioner as 'Secondary Grade Teachers' in pursuance of her recruitment on contract basis with Minimum Time Scale (MTS), in terms of the G.O.Ms.No.27, School Education (Exams) Department dated 15.3.2023 contrary to the notification norms thereby depriving her of her rightful entitlement to seniority, extension of age of superannuation from 60 to 62 years pension and other consequential service benefits as unjust, arbitrary, illegal and unconstitutional being in violation of the Fundamental Rights guaranteed under Article 14, 15, 16, and 21 of the Constitution of India and consequently direct the respondents to consider the case of the petitioner for regularization duly considering the representation dated 16.04.2025 in view of the date of retirement fast approaching and to pass such other orders.

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 direct the respondents to continue the services of petitioner till the issue of regularization is pending pending disposal of the above writ petition and to pass such other orders.

Counsel for the Petitioner:

1.KOTA KRISHNA DEEPTHI

Counsel for the Respondent(S):

1.GP FOR SERVICES III

WRIT PETITION NO: 7804/2026**Between:**

1. KOMMINA HANOKU, S/O. KOMMINA VENN NAGAIHAH, AGED ABOUT 59 YEARS, OCC SECONDARY GRADE TEACHER (ZPHS DIRUSUMARRU), D.No.1-2-10, KATRENAGUNTA, ADARSA NAGAR, SIVARAOPETA, BHIMAVARAM, WEST GODAVARI, ANDHRA PRADESH-234202.
2. GARIMELLA RAMA CHANDRA MURTHY,, C/O. GARIMELLA NARASIMHA MURTHY, AGED ABOUT 59 YEARS, OCC SECONDARY GRADE TEACHER (MPPS AMBATIVANICHERUVU), R/O. 10-3-14, 2ND STREET, BRADIPETA, MARUTI SWEET ZONE, PALAKOLLU, WEST GODAVARI DISTRICT, ANDHRA PRADESH-534260.
3. BUDHARAJU RAJA VARA PRASADA RAJU, S/O. BUDHARAJU VENKATA SATYANARAYANA RAJU, AGED ABOUT 59 YEARS, OCC SECONDARY GRADE TEACHER (MPPS, VELIVELA) R/O. D. NO. 1-57, NEAR WATER TANK, NEREDUMILLI, YELAMANCHILI MANDAL, WEST GODAVARI DISTRICT, ANDHRA PRADESH-534268.
4. V. VENKATA CHALAPATI RAO, S/O. VENKATA CHALAM, AGED ABOUT 59 YEARS, OCC SECONDARY GRADE TEACHER (MPPS GACHAKAYALA PORA), R/O. D. NO. 4-64, NEAR MAHALAKSHMI TEMPLE, MORI, DR B.R. AMBEDKAR KONASEEMA DISTRICT, ANDHRA PRADESH-533250.

...PETITIONER(S)**AND**

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF SCHOOL EDUCATION, A.P. SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT, ANDHRA PRADESH - 522238.

- 2.THE COMMISSIONER OF SCHOOL EDUCATION, 4TH FLOOR, B BLOCK, VTPS RD, BHIMARAJU GUTTA, IBRAHIMPATNAM, KRISHNA DISTRICT, ANDHRA PRADESH-521456.
- 3.THE DISTRICT EDUCATION OFFICER, WEST GODAVARI DISTRICT, ANDHRA PRADESH - 534203.
- 4.THE DISTRICT EDUCATION OFFICER, DR AMBEDKAR KONASEEMA DISTRICT, ANDHRA PRADESH - 533201.
- 5.THE DISTRICT SELECTION COMMITTEE, ERSTWHILE WEST GODAVARI DISTRICT, ANDHRA PRADESH - 534203.
- 6.THE DISTRICT SELECTION COMMITTEE, ERSTWHILE DR AMBEDKAR KONASEEMADISTRICT, ANDHRA PRADESH - 533201.

...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 direction particularly, one in the nature of writ of Mandamus, declaring the action of the respondent No.1 in not regularizing the petitioners as Secondary Grade Teachers in pursuance of their recruitment on contract basis with Minimum Time Scale (MTS), in terms of the G.O.Ms.No.27, School Education (Exams) Department dated 15.3.2023 contrary to the notification norms thereby depriving them of their rightful entitlement to seniority, extension of age of superannuation from 60 to 62 years pension and other consequential service benefits as unjust, arbitrary, illegal and unconstitutional being in violation of the Fundamental Rights guaranteed under Articles 14, 15, 16, and 21 of the Constitution of India and consequently direct the respondents to consider the case of the petitioners for regularization duly considering their representation dated 16.04.2025 in view of their date of retirement fast approaching and to pass such other orders.

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 direct the respondents to continue the services of petitioners till the issue of regularization is pending, pending disposal of the above writ petition and to pass such other orders.

Counsel for the Petitioner(S):

1.KOTA KRISHNA DEEPTHI

Counsel for the Respondent(S):

1.GP FOR SERVICES III

The Court made the following:

Whether the order is :

Speaking Yes/No / Reasoned Yes/No

Reportable Yes/No / Non-Reportable Yes/No

HON'BLE SRI JUSTICE NYAPATHY VIJAY
WRIT PETITION Nos.5767 and 7804 of 2026

ORDER:

1. W.P.No.5767 of 2026 is filed questioning the action of Respondent No.1 in not regularizing the Petitioner as Secondary Grade Teacher pursuant to her recruitment on contract basis with Minimum Time Scale (MTS) in terms of G.O.Ms.No.27, School Education (Exams) Department, dated 15.03.2023 contrary to the notification norms thereby depriving her rightful entitlement to seniority, extension of age of superannuation from 60 to 62 years and other consequential benefits and to declare the same as illegal and arbitrary.

2. W.P.No.7804 of 2026 is filed questioning the action of Respondent No.1 in not regularizing the Petitioners as Secondary Grade Teachers pursuant to their recruitment on contract basis with Minimum Time Scale (MTS) in terms of the G.O.Ms.No.27, School Education (Exams) Department, dated 15.03.2023 contrary to the notification norms thereby depriving them of their rightful entitlement to seniority, extension of age of superannuation from 60 to 62 years and other consequential benefits and to declare the same as illegal and arbitrary.

3. Learned counsel for the Petitioners would submit that the issue involved in these Writ Petitions is covered by the Common Order dated 21.07.2026 passed by this Court in W.P.Nos.12413 of 2025 and batch and requested to pass similar order in these Writ Petitions also.

4. W.P.Nos.12413 of 2025 and batch are disposed of with the following directions:

(i) The State Government shall examine the issue and take a conscious decision about enhancement of age upto 62 years to non-regular employees working for a substantial number of years in State departments and State owned/controlled entities;

(ii) Till such time, the petitioners/non-regular employees in service shall be continued or till they attain the age of 62 years;

(iii) The petitioners who have retired on attaining the age of 60 years may be considered for re-engagement till 62 years in the event no alternative arrangement is made.

5. Learned Assistant Government Pleader appearing for the Respondents does not dispute the same.

6. In view of the same, the Writ Petitions are also disposed of in terms of the Common Order, dated 21.07.2026 passed by this Court in W.P.Nos.12413 of 2025 and batch.

7. Further, the issue with regard to regularization of the Petitioners is left open to them to challenge in independent Writ Petitions.

8. There shall be no order as to costs.

9. Registry is directed to attach the copy of the Common Order, dated 21.07.2026 passed by this Court in W.P.Nos.12413 of 2025 and batch to this order.

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

NYAPATHY VIJAY, J

Date: 05.08.2026

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HON'BLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION Nos.5767 and 7804 of 2026

Date: 05.08.2026

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