

APHC010152612023



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

[3208]

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

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 7820/2023

Between:

1. M SRINIVASA RAO, S/O. LATE PRASADA RAO, AGED 67 YEARS, RETIRED SCHOOL ASSISTANT, GVMC HIGH SCHOOL, K. COLONY, VISAKHAPATNAM.

...PETITIONER

AND

1. THE STATE OF AP, REPRESENTED BY ITS PRINCIPAL SECRETARY, SCHOOL EDUCATION DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMRAVATI, GUNTUR DISTRICT.
2. THE COMMISSIONER AND DIRECTOR OF MUNICIPAL ADMINISTRATION, AP GUNTUR DISTRICT.
3. THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, REP BY ITS COMMISSIONER, VI SA KHA PATNA M DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1. K R SRINIVAS

Counsel for the Respondent(S):

- 1.GP FOR SERVICES III
- 2.A S C BOSE (SC FOR MUNICIPAL CORPORATIONS AP)
- 3.GP FOR SERVICES IV

The Court made the following:

THE HONOURABLE SRI JUSTICE D.RAMESH**WRIT PETITION No.7820 of 2023****ORDER:**

The present writ petition is filed seeking the following relief:

“....to issue a Writ or Order more in the nature of Mandamus, to declare the action of the 3rd respondent in not Passing orders on the 2nd respondent letter Roc.No.11021/85/2018/I/E1 dated 15.11.2021 in regards to refixation of pay by protecting the pay scale as illegal, arbitrary, unjust and consequentially direct the 3rd respondent to pass orders on the 2nd respondent letter Roc.No.11021/85/2018/I/E1 dated 15.11.2021 in regards to refixation of pay by protecting the pay scale in a time frame....”

2. Heard learned counsel for the petitioner and Sri A.S.C.Bose, learned Standing Counsel appearing on behalf of the 3rd respondent.

3. Considering the representation of the petitioner, the 2nd respondent - Commissioner and Director of Municipal Administration, has forwarded the proposals to the 3rd respondent - Commissioner, Greater Visakhapatnam Municipal Corporation, to examine the request of the petitioner, a retired School Assistant (English) and to take necessary action as per the

instructions issued by the 2nd respondent dated 13.08.2018 and submitted an action report. Despite the said directions, the 3rd respondent did not implement the directions of the 2nd respondent. Therefore, the petitioner once again submitted a representation on 02.01.2022. Due to the non-consideration of the said representation, the present writ petition is filed.

4. Sri A.S.C.Bose, learned Standing Counsel appearing on behalf of the 3rd respondent, has placed reliance on G.O.Ms.No.84, Municipal Administration and Urban Development (D1) Department, dated 24.06.2022. In terms of the G.O., the supervision and administrative responsibilities of the Municipal Schools including service matters of the Municipal Teachers were transferred to the School Education Department. Hence, the 3rd respondent is not the competent authority to consider the request made by the petitioner.

5. Considering the said submissions and also taking into consideration G.O.Ms.No.84, dated 24.06.2022, the Writ Petition is disposed of granting liberty to the petitioner to approach the 2nd respondent once again by submitting a specific representation within one (1) month from the date of receipt of a copy of this

order. If any such representation/claim petition is filed within the stipulated period, and considering the fact that the petitioner is a retired employee, the 2nd respondent shall consider the same expeditiously as per the records and pass appropriate orders within a period of one (1) month thereafter. There shall be no order as to costs.

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

JUSTICE D.RAMESH

Date: 12.02.2026
lvd

THE HONOURABLE SRI JUSTICE D.RAMESH

WRIT PETITION No.7820 of 2023

Dated: 12.02.2026

Ivd