

APHC010183432026



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

[3208]

MONDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 10101/2026

Between:

1. BHUKYA SAMPATH NAIK, S/O BHUKYA DASARATHA NAIK, AGED ABOUT 36 YEARS, OCC S.G.TEACHER AT MPPS, DHAMAVANDLAPALLI, NALLACHERUVU MANDAL, SRI SATYA SAI DISTRICT, R/O 2-26, T PEDDATHANDA, GANDLAPENTA MANDAL, SRI SATYA SAI DISTRICT, AP.
2. MADANAPALLI DADAPEER,, S/O M BASHA, AGED ABOUT 49 YEARS, OCC S.G.TEACHER AT MPPS, ALLUGUNDU, NALLACHERUVU MANDAL, SRI SATYA SAI DISTRICT, R/O 11/408, SHAKIR STREET VALISAB ROAD, KADIRI, KADIRI MANDAL, SRI SATYA SAI DISTRICT, AP.
3. MYLEPALLI ZAKEER HUSSAIN,, S/O M FAKRODDIN SAB, AGED ABOUT 45 YEARS, OCC S.G.TEACHER AT MPPS, NARAPURAM, PEDDAPAPPUR MANDAL, ANANTHAPUR DISTRICT, R/O H.NO 4-1757, GANESH NAGAR, PAPAMPETA, ANANTAPUR DISTRICT, AP-515004.
4. PASUPULA NARAYANAMMA, D/O P.NARASIMHUDU, AGED ABOUT 39 YEARS, OCC S.G.TEACHER AT C.S

MPL PRIMARY SCHOOL, GUNTAKAL, ANANTHAPUR DISTRICT, R/O 18/395, RAJENDRA NAGAR, GUNTAKAL, ANANTAPUR DISTRICT, AP.

5. AMGOTH BHASKAR NAIK,, S/O AMGOTH RAMACHANDRA NAIK, AGED ABOUT 44 YEARS, OCC S.G.TEACHER, MPPS GORLAVANDLAPALLI, NALLACHERUVU MANDAL, SRI SATYA SAI DISTRICT, R/O CHINNAYELLAMPA LLI, NALLACHERUVU MANDAL, SRI SATYA SAI DISTRICT, AP.
6. SINGAMAREDDY RAVEENDRA REDDY,, S/O S.NARAYANA REDDY, AGED ABOUT 48 YEARS, OCC S.G.TEACHER, MPUPS K.LOCHERLA, KOTTHACHERUUVU MANDAL, SRI SATYA SAI DISTRICT, R/O 8-78, AKOTHADEVAPALLI, MEERJAPUR POST, KOTTHACHERUUVU MANDAL, SRI SATYA SAI DISTRICT, AP.
7. DURGAM DASTAGIRI,, S/O D. SIDDAIAH, AGED ABOUT 43 YEARS, OCC S.G.T (TELUGU) AT MPPS RACHINNAYAPALLI , CHENNUR MANDAL, YSR KADAPA DISTRICT, R/O D. NO38/160-7-1-2, BUDDAYAPALLI ROAD, CHINNACHOWK KADAPA, YSR KADAPA DISTRICT, AP- 516002.
8. BOGALA BASHA,, S/O B RAHAMATHULLA, AGED ABOUT 44 YEARS, OCC S.G.T (TELUGU), M.P.U.P.S, PULLIVEEDU PORUMAMILLA MANDAL, YSR KADAPA DISTRICT, R/O D. NO10/35, REDDY NAGAR, 1ST LINE, PORUMAMILLA, YSR KADAPA DISTRICT, ANDHRA PRADESH-516193.
9. KAKARLA CHINNA HUSSAIN BEE,, D/O K. DASTAGIRI, AGED ABOUT 44 YEARS, OCC S.G.T, M.P.P.S, RAYAMAPALLI, PORUMAMILLA MANDAL, YSR KADAPA DISTRICT, R/O D. NO10/35, REDDY NAGAR, 1ST LINE, PORUMAMILLA, YSR KADAPA DISTRICT,

ANDHRA PRADESH-516193.

10. DHANIKELA RAMANAIAH,, S/O D.NADIPI SUBBARAYUDU, AGED ABOUT 45 YEARS, OCC S.G.T, M.P.P.S, CHINNA BAKARAPURAM VILLAGE, DUVVUR MANDAL, YSR KADAPA DISTRICT, R/O D.NO2/201-1, YADAV COLONY, LINGAPURAM, PRODDATUR MANDAL, YSR KADAPA DISTRICT,
11. DEVARINTI REDDEIAH, , S/O D CHINNA NAGANNA, AGED ABOUT 44 YEARS, OCC S.G.T (TELUGU) AT M.P.P.S, KATINENIVANDLAPALLI VILLAGE, RAYACHOTY MANDAL, ANNAMAYYA DISTRICT, R/O D.NO.15-14, DINNEMEADAPALLI VILLAGE, D.G. VEEDU (POST), CHINNAMANDEM MANDAL, ANNAMAYYA DISTRICT, AP.
12. MODABOINA PULLAIAH, S/O M. KONDALA RAO, AGED ABOUT 46 YEARS, OCC SGT (TELUGU) AT MPPS, THUMMALAPALLI VILLAGE, YERRAGUNTIA MANDAL, YSR KADAPA DISTRICT, R/O D.NO.16/187, SYED SAHEB STREET, NADIMPALLI, PRODDATUR, YSR KADAPA, ANDHRA PRADESH-516360.
13. MADANAPALLI ZAMIR AHMED,, S/O M.GHOUSE PEER, AGED ABOUT 38 YEARS, OCC S.G.T (URDU) AT M.P.P.S, CHOWTAPALLI VILLAGE, MYDUKUR MANDAL, YSR KADAPA DISTRICT, R/O D.NO.5/26, SARVARKHANPETA, KHAJIPETA, YSR KADAPA, ANDHRA PRADESH-516203.
14. B.KHADER BASHA,, S/O B KHAJA MOINUDDIN, AGED ABOUT 40 YEARS, OCC S.G.T (URDU) AT M.P.U.P.S, DUVVURU VILLAGE, DUVVURU MANDAL, YSR KADAPA DISTRICT, R/O D.NO.25/154, NEAR URDU JUNIOR COLLEGE, VASANTHAPET PRODDATUR, YSR KADAPA DISTRICT, AP.

15. BHADURNAIK MD ARIFULLAH,, S/O B.MAHABOOB BASHA, AGED ABOUT 38 YEARS, OCC S.G.T (URDU) AT M.P.P.S (U), ONIPENTA VILLAGE, MYDUKUR MANDAL, YSR KADAPA DISTRICT, R/O D.NO.8/14, B.N STREET, ONIPENTA POST AND VILLAGE, MYDUKUR MANDAL, YSR KADAPA DISTRICT, AP.
16. SINGAM REDDY MANOHAR REDDY,, S/O S.SUBBA REDDY, AGED ABOUT 45 YEARS, OCC S.G.T (TELUGU) AT M.P.P.S, THALLAMAPURAM (REGULAR), PRODDATUR MANDAL, YSR KADAPA, R/O DOOR NO 17/228-F1, POTTIPUDU ROAD, PRODDATUR-516360.
17. SANAPATI SOMESWAR PATRUDU,, S/O LATE S.PAKEERU PATRUDU, AGED ABOUT 44 YEARS, OCC S.G.T, AT MPPS KRISHNAPURAM COLONY, THONDANGI, KAKINADA DISTRICT, R/O PLOT NO-28 BALAJINAGER, NEAR SESHADRI NAGER, SANNAVARAM, TUNI, KAKINADA-533401.
18. KORADA SIVA NAGENDRA PRASAD,, S/O K.APPARAO, AGED ABOUT 47 YEARS, OCC S.G.T, ZPHS SEETARAMPURAM, RAJANAGARAM, EAST GODAVARI DIST, R/O D.NO-72-31-16-3, STREET, SAIDURGA NAGER LALACHERUVU RAJAMAHENDRAVARAM, EAST GODAVARI DISTRICT, ANDHRA PRADESH.
19. MODAVALASA RAMANAMURTHY, S/O SIMHACHALAM, AGED ABOUT 36 YEARS, OCC S.G.T, AT MPPS PATAKOTTAM, KOTANANDURU KAKINADA DISTRICT, R/O PATHA KOTTAM, KOTANANDURU MANDAL, KAKINADA DIST-533407.
20. ANKAMREDDY SATYANARAYANA,, S/O A.JAGANNA, AGED ABOUT 49 YEARS, OCC SGT, AT MPP, SK.O AGRAHARANM, KOTANANDURU, KAKINADA DIST R/O D.POLAVARAM VILLAGE, TUNI MANDAL,

KARINADA-533401.

21. GORRELA VENKATESWARA RAO,, S/O NARASIMHA MURTHY, AGED ABOUT 42 YEARS, OCC S.G.T, AT MPPS, ABN, JAGGAMPETA, KAKINADA, R/O D.NO7-198, BHAVISYA SCHOOL ROAD, TEACHERS
22. RAYANA SIVA RAMA PRASAD,, S/O SUBBA RAO, AGED ABOUT 41 YEARS, OCC S.G TEACHER AT MPP SCHOOL, K PEDA MADDALI, PAMARRU MANDAL, KRISHNA DISTRICT, R/O H.NO.1-168, MAIN ROAD, PULIGADDA, AVANIGADDA MANDAL, KRISHNA DISTRICT-521130.
23. KAGITAM MURALI,, S/O SATYANARAYANA, AGED ABOUT 42 YEARS, OCC S.G TEACHER AT MPPS, MOTURU-1, GUDIVADA RURAL MANDAL, KRISHNA DISTRICT, R/O H.NO. 5-83/1, OLD CINEMA HALL STEET, NEAR SATYANARAYANA SWAMY TEMPLE, GUDLAVALLERU, GUDLAVALLERU MANDAL, KRISHNA DISTRICT, AP-521356.
24. VISWANADHAPALLI NAGA RAJU, , S/O SRIRAMULU, AGED ABOUT 41 YEARS, OCC S.G TEACHER AT YVRM ZPHS, MEDURU, PAMIDIMUKKALA MANDAL, KRISHNA DISTRICT, R/O H.NO. 9-262, RAAVI SUBBAYYA COLONY, TADIGADAPA DONKA ROAD, YANAMALA KUDURU NTR DISTRICT.
25. TIRUMALA DHANANJAYUDU, , S/O SUBBAIAH, AGED ABOUT 43 YEARS, OCC SGT, MPPS BANDREVVU, KARVETINAGARAM MANDAL, CHITTOOR DISTRICT, R/O RKBV PETA POST AND VILLAGE, BALIJA STREET, KARVETINAGARAM MANDAL, CHITTOOR DIST, AP.
26. V.S. VIJAYA PRASAD,, S/O V.V. SUBRAHMANYAM, AGED ABOUT 40 YEARS, R/O SGT, MPP SCHOOL,

MOTAKOMMAPALLI, IRALA (M), CHITTOOR DISTRICT,
R/OD.NO.5-337, OLD BRAMHIN ST, SANTHAPET,
CHITTOOR-517004.

27. BONDILI CHUNNU SINGH,, S/O SIVA SANKARA SINGH,
AGED ABOUT 44 YEARS, OCC SGT M.P.P. SCHOOL
(SPL.) MUNAGODU VILLAGE, AMARAVATHIMANDAL,
PALNADU DISTRICT, R/O D.NO. 1-120/1, PATHURU
VILLAGE, PEDAKAKANI MANDAL, GUNTUR DISTRICT,
AP-522509.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS
PRINCIPAL SECRETARY TO GOVERNMENT, SCHOOL
EDUCATION DEPARTMENT, BUILDING NO-5, A P
SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR
DISTRICT, ANDHRA PRADESH-522237.
2. THE COMMISSIONER OF SCHOOL EDUCATION,
ANDHRA PRADESH, VIDYA BHAVAN, D.NO.398/3,
VENKATADIRI TOWERS, IBRAHIMPATNAM, KRISHNA
DISTRICT, ANDHRA PRADESH-521456.
3. THE DISTRICT EDUCATIONAL OFFICER,
ANANTHAPURAMU DISTRICT D.NO 15/228, NEAR DEO
OFFICE, KAMALANAGAR, ANANTAPUR, ANDHRA
PRADESH-515001.
4. THE DISTRICT EDUCATIONAL OFFICER, YSR KADAPA
DISTRICT, OPPOSITE ARTS COLLEGE,
GANAGAPETA, KADAPA, YSR DISTRICT, ANDHRA
PRADESH - 516001
5. THE DISTRICT EDUCATIONAL OFFICER, , KRISHNA
DISTRICT, CHILAKALAPUDI, MACHILIPATNAM,
KRISHNA DISTRICT, ANDHRA PRADESH-521002. .

6. THE DISTRICT EDUCATIONAL OFFICER, GUNTUR DISTRICT, COLLECTORATE COMPOUND, NEAR THE REGISTRAR OFFICE, NAGARAMPALEM, GUNTUR, ANDHRA PRADESH -522004 .
7. THE DISTRICT EDUCATIONAL OFFICER, , EAST GODAVARI DISTRICT, 2ND FLOOR, BESIDE DISTRICT LIBRARY, MAIN ROAD, NEAR SARVA SIKSHA ABHIYAN, KAKINADA, ANDHRA PRADESH, 533001.
8. THE DISTRICT EDUCATIONAL OFFICER, PRAKASHAM DISTRICT, PRAKASAM BHAVAN, GROUND FLOOR, TRUNK ROAD, ONGOLE, PRAKASAM DISTRICT, ANDHRA PRADESH- 523001.
9. THE DISTRICT EDUCATIONAL OFFICER, CHITTOOR DISTRICT, CHITTOOR-BANGALORE RD, THOTAPALYAM, CHITTOOR, ANDHRA PRADESH- 517001.
10. THE DISTRICT EDUCATIONAL OFFICER, KURNOOL DISTRICT, BUDHAWARA PETA, KURNOOL, ANDHRA PRADESH 518002.

...RESPONDENT(S):

Counsel for the Petitioner(S):

1. THANDAVA YOGESH

Counsel for the Respondent(S):

1. GP FOR SERVICES III

The Court made the following:

THE HONOURABLE SRI JUSTICE D.RAMESH**WRIT PETITION No.10101 of 2026****ORDER:**

This writ petition is filed challenging the action of the respondents in preparing the seniority list of Secondary Grade Teachers in the year 2026 for effecting promotions to the post of School Assistant, without following the provisions of Section 23 of the Right of Children to free and Compulsory Act, 2009 and subsequent mandatory guidelines issued by National Council for Teacher Education (NCTE) and also the observations made by the Hon'ble Supreme Court in Civil Appeal No.1385 of 2025 in ***Anjuman Ishaat- E-Taleem Trust v. The State of Maharashtra and others.***

2. Heard learned counsel for the petitioners and learned Government Pleader appearing for the respondents.

3. The grievance of the petitioners is that the respondents have not adhered to the Rules and also the observations of the Hon'ble Apex Court in Civil Appeal No.1385 of 2025, while preparing the impugned tentative seniority list. In fact, the said

issue has fallen for consideration before the Hon'ble Apex Court and Hon'ble Apex Court held as follows:

“216. Bearing in mind their predicament, we invoke our powers under Article 142 of the Constitution of India and direct that those teachers who have less than five years' service left, as on date, may continue in service till they attain the age of superannuation without qualifying the TET. However, we make it clear that if any such teacher (having less than five years' service left) aspires for promotion, he will not be considered eligible without he/she having qualified the TET.

217. Insofar as in-service teachers recruited prior to enactment of the RTE Act and having more than 5 years to retire on superannuation are concerned, they shall be under an obligation to qualify the TET within 2 years from date in order to continue in service. If any of such teachers fail to qualify the TET within the time that we have allowed, they shall have to quit service. They may be compulsorily retired; and paid whatever terminal benefits they are entitled to. We add a rider that to qualify for the terminal benefits, such teachers must have put in the qualifying period of service, in accordance with the rules. If any teacher has not put in the qualifying service and there is some deficiency, his/her case may be considered by the appropriate department in the Government upon a representation being made by him/her.

218. Subject to what we have said above, it is reiterated that those aspiring for appointment and those in-service teachers aspiring for appointment by promotion must, however, qualify the TET; or else, they would have no right of consideration of their candidature.”

4. But surprisingly, the respondents have prepared the tentative impugned seniority list without considering the aforesaid observations and they have prepared solely based on the length of service.

5. By noticing the same, the petitioners have submitted their representations on 24.03.2026, 04.02.2026, 04.04.2026 and 23.03.2026. Without considering the said representations, the respondents are proceeding with finalization of the seniority list. Hence, the present writ petition is filed.

6. Learned counsel for the petitioners submits that in similar facts and circumstances, this Court has already granted relief in W.P.No.8433 of 2026 by order dated 01.04.2026 and therefore, the petitioners are also entitled to the same relief.

7. Learned Government Pleader appearing for the respondents also does not dispute this fact.

8. Considering the submissions and in view of the orders dated 01.04.2026 passed by this Court in W.P.No.8433 of 2026, the present Writ Petition is disposed of directing respondent Nos.3 to 10 to consider the representations submitted by the petitioners in terms of the observations made by the Hon'ble Apex Court in the judgment referred supra, while preparing the final seniority list. There shall be no order as to costs.

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

JUSTICE D.RAMESH

Date: 20.04.2026
lvd

THE HONOURABLE SRI JUSTICE D.RAMESH

WRIT PETITION No.10101 of 2026

Dated: 20.04.2026

Ivd