

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

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

:PRESENT:

**THE HONOURABLE SRI JUSTICE D RAMESH
WRIT PETITION NO: 10002 OF 2026**



Between:

M Mutyala Naidu, S/o M. Venkata Ratnam Naidu, Aged about 61 years,
Occ Principal Scientist (Hort.) & Head, Horticultural Research Station,
Ambajipeta Dr. B. R. AmbedkarKonaseemaDist., Andhra Pradesh - 533
214.

Petitioner

AND

1. The State of Andhra Pradesh, Rep.by its Principal Secretary, Higher Education Department, A.P. Secretariat, Velagapudi, Amaravati, Guntur District -522238
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Agriculture and Cooperation Department, A. P. Secretariat, Velagapudi, Amaravati, Guntur District -522238
3. Dr. YSR Horticultural University, Administrative Office, Venkataramannagudem, W.G. District, Andhra Pradesh -534101 Rep. by its Registrar

Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the Lr. No. 2175839/A&C, AHDD&F/2024 dated 15.02.2026 issued by 2nd Respondent wherein the benefit of extension of enhanced age of superannuation from 62 to 65 years in terms of GOMs No. 39, Higher Education dated 29.07.2023 was rejected to

the teachers working in 3rd Respondent University that also includes the petitioner as illegal arbitrary discriminatory violative of Art 14 and 16 of the Constitution of India, AP State Govt. Business Rules, 2018 and contrary to the law declared by the Apex Court in Jagdish Prasad Sharma and Ors. vs State of Bihar and Ors. (2013 8 SCC 633) and consequently set aside the same and direct the Respondents to continue the petitioner in service with all attendant benefits, emoluments without reference to Proc. No. 1977/Ser(T).I/2024 dated 14.06.2024 that indicates the petitioner's date of superannuation as 30.04.2026;

IA NO: 1 OF 2026

Petition under Section 151 CPC is filed 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 petitioner in service in terms of GO Ms No. 39, Higher Education Dept. dated 29.07.2023 without reference to Proc. No. 1977/Ser(T).I/2024 dated 14.06.2024 that indicates the petitioner's date of superannuation as 30.04.2026, Pending disposal of WP 10002 of 2026, on the file of the High Court.

The petition, coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Smt.KAVITHA GOTTIPATI Advocate for the Petitioner, GP FOR Higher Education for R1, GP for Agriculture and Cooperation Department for R2, Sri N B Chandra Sekhar, Standing counsel for R3 and the Court made the following.

ORDER

Heard learned counsel for the petitioner(s) and the learned Assistant Government Pleader for respondents. Perused the record.

Today, when the matter is taken up for hearing, it is submitted by the learned counsel for the petitioner and acceded to, by the learned Assistant Government Pleader for respondents that the subject matter of this Writ Petition is squarely covered by the Writ Appeal Nos.1246 of

2025 and batch, wherein, the coordinate division Bench of this Court on 23.02.2026, passed the following interim order.

“12 Considering the fact that some of the professors working in these four (4) Universities are attaining the age of superannuation and at present there are no immediate steps taken by the Universities or State Government to fill these vacancies, the interest of the students studying in that universities has to be protected. Taking all these circumstances into consideration, in our prima-facie view, it is appropriate and reasonable to direct the respondents to continue the petitioners in service pending further orders.

13. Accordingly, there shall be an interim suspension of the Letter No..2175839/A&C, AHDD & F/2024, dated 15.02.2026 passed by the Ex-Officio Special Chief Secretary to Government, Agriculture and Cooperation, Animal Husbandry, Dairy Department and Fisheries Department, Government of Andhra Pradesh, pending further orders. Further, the respondents are directed to continue the petitioners in service pending further orders’.

Learned counsel for the petitioner has also requested this court that the same benefit may be extended to the petitioner herein in this Writ Petition.

Considering the same, the respondent authorities are directed to continue the petitioner in service, pending further orders.

Post the matter after four (04) weeks.

SD/- T. SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

For

Shanley
SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Higher Education Department, A.P. Secretariat, Velagapudi, Amaravati, Guntur District - 522238.
2. The Principal Secretary, State of Andhra Pradesh, Agriculture and Cooperation Department, A. P. Secretariat, Velagapudi, Amaravati, Guntur District -522238 (addressee 1 and 2 by **Special Messenger**)
3. The Registrar, Dr. YSR Horticultural University, Administrative Office, Venkataramannagudem, W.G. District, Andhra Pradesh -534101 (by **RPAD**)
4. One CC to SRI. KAVITHA GOTTIPATI Advocate [OPUC]
5. Two CCs to GP FOR Higher Education, High Court of Andhra Pradesh. [OUT]
6. Two CCs to GP FOR Agriculture and Cooperation Department, High Court of Andhra Pradesh. [OUT]
7. One CC to Sri N B Chandra Sekhar, Standing counsel [OPUC]
8. One spare copy

HIGH COURT

DR,J

DATED:20/04/2026

POST THE MATTER AFTER FOUR (04) WEEKS

ORDER

WP.No.10002 of 2026

DIRECTION

