

APHC010207542026

**IN THE HIGH COURT OF ANDHRA PRADESH****AT AMARAVATI****[3208]****(Special Original Jurisdiction)**

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

PRESENT**THE HONOURABLE SRI JUSTICE D RAMESH****WRIT PETITION NO: 11408/2026****Between:**

1. CHAMARTY SURYA CHANDRA PRAKASH,, S/O. LATE CHAMARTY BALA KRISHNA MURTY, AGED 59 YEARS, OCC. LAB ATTENDER (VOCATIONAL), GOVERNMENT JUNIOR COLLEGE, YENDAGANDI, UNDI MANDAL, WEST GODAVARI DISTRICT, ANDHRA PRADESH.
2. SABBAVARPU RAMA RAO, S/O. KRISHNAM NAIDU, AGED 59 YEARS, OCC. LAB ATTENDER (VOCATIONAL), GOVERNMENT JUNIOR COLLEGE, SRUNGAVARAPUKOTA, VIZIANAGARAM DISTRICT, ANDHRA PRADESH.

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

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

VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT- 522238

3.THE DIRECTOR OF INTERMEDIATE EDUCATION, ANDHRA PRADESH, TADEPALLI, GUNTUR DISTRICT - 522501

4.THE GOVERNMENT JUNIOR COLLEGE, YENDAGANDI, UNDI MANDAL, WEST GODAVARI DISTRICT, A.P. - 534186
REP. BY ITS PRINCIPAL

5.THE GOVERNMENT JUNIOR COLLEGE, GOVERNMENT JUNIOR COLLEGE, SRUNGAVARAPUKOTA, VIZIANAGARAM DISTRICT, A.P. - 535160 REP BY IT'S PRINCIPAL

...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 topleased to issue an order or direction more particularly one in the nature of writ of mandamus declaring the action of 3rd respondent in proceeding to dispense the services of the petitioners on the ground of attaining the age of 60 years without applying the benefit conferred under Andhra Pradesh Public Employment (Regulation of Age of Superannuation) (Amendment) Act, 2022 as highly illegal, arbitrary, unjust and violative of Article 14 and 16 of the Constitution of India and consequently direct the respondents to continue the petitioners up to completion of age of 62 years on par with others by extending by extending the benefit of G.O. Ms. No. 15 Finance (HR. IV- FR and LR) Department dated 31.01.2022

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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 Pleased to direct the Respondents to continue the services of the petitioners in 4th and 5th respondent's College respectively, till attaining the age of 62 years

i.e., 31-05- 2028 with all attending benefits, pending disposal of the above writ petition,

Counsel for the Petitioner(S):

1.KAVITHA GOTTIPATI

Counsel for the Respondent(S):

1.GP FOR SERVICES III

2.GP FOR SERVICES I

The Court made the following:

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief/s:-

“...to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declare the action of the respondent No.3 in proceeding to dispense the services of the petitioners on the ground of attaining the age of 60 years without applying the benefit conferred under A.P. Public Employment (Regulation of Age of Superannuation) Amendment) Act, 2022 as illegal arbitrary and pass such other order or orders....”

2. Heard the learned counsel for the petitioner and learned Government Pleaders for Services appearing on behalf of the respondents.

3. The contention of the learned counsel for the petitioner is that the identical part-time lecturers have been continued based on the orders passed by this Court and hence, the petitioners are also entitled to continue till they attain the age of superannuation i.e 62 years.

4. Learned Government Pleader appearing on behalf of the 3rd respondent has made her submissions based on the instructions furnished by the Commissioner, Intermediate Education dated 24.02.2026. According to the said instructions though the initial writ petitions were disposed of by this Court directing the respondents to continue the identical part-time employees by applying the principles laid down in G.O. No. 15, dated 31.01.2022, the age of retirement came to be increased from “60” to “62 years” and the said order challenged before the Division Bench of this Court by way of W.A.No.770 of 2022, which was disposed of on 13.02.2024 modifying the order with the following directions:

“Accordingly, the Writ Appeal is partly allowed. The order of the learned Single Judge is set-aside and liberty is reserved to the Appellants to re-engage the Respondent, if they so desire, and also other similarly situated employees even beyond the age of “60 years” subject to the conditions stipulated in G.O. No. 15, dated 31.01.2022. There shall be no order as to costs.”

5. Considering the submissions and on perusal of the judgment dated 13.02.2024, passed by the Division Bench of this Court in W.A.No.770 of 2022, this writ petition is also disposed of with the same relief as granted in the W.A.No.770 of 2022. No order as to costs.

6. Registry shall tag the copy of the judgment passed by the Division Bench of this Court in W.A.No.770 of 2022 along with the copy of the order of the present writ petition.

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

JUSTICE D.RAMESH

Date:27.04.2026

GK

THE HONOURABLE SRI JUSTICE D.RAMESH

WRIT PETITION NO: 11408 of 2026

Dated:27.04.2026

GK