

[3208]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE TWENTY THIRD DAY OF APRIL

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 10858 OF 2026



Between:

1. Devara Chinnappa, S/o Thimanna, Aged about 59 Years, Occ Office Sub-ordinate R/o H.No. 6/4/149, Maruthi Nagar, Anantapur, Anantapur District
2. V. Ramanjappa, S/o Venkatappa (Late), Aged about 59 Years, Occ Office Subordinate R/o D. No. 4-3-82, Sreekanta Puram, Hindupur, Anantapur District

Petitioners

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Department of Employment and Training, Secretariat, Amaravathi, Guntur District Andhra Pradesh 522237
2. The District Collector and The Chariman Surplus Manpower Cell (SMPC), Anantapur, Anantapur District 515001
3. The District Employment Officer, District Employment Exchange Office, Anantapur, Anantapur District 515001
4. The State of Andhra Pradesh, Represented by its Principal Secretary, Agriculture and Co-Operation Department, Secretariat, Amaravathi, Guntur District Andhra Pradesh 522237
5. The Andhra Pradesh State Cooperative Rural Irrigation Corporation (APSCRIC), H.No. 52-1/3-4/4C, Road N0.IB, NTR Colony, Vijayawada, NTR District Represented by its Registrar/Managing Director 522002

Respondent

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 issuance of an appropriate Writ, Order, or direction more particularly one in of Writ of Mandamus, by declaring that action of the nature respondents no.2 and 3 in seeking to retire the petitioners upon attaining the age of 60 (Sixty) years as bad, illegal, arbitrary and contrary to the principles of natural justice apart from being violative of Fundamental Rights guaranteed under Articles 14,16 and 21 of Constitution of India and consequently declare that the petitioners are entitled to be in service upto the age of 62 (Sixty Two) years in terms of G.O.Ms.No.15, Finance (HR.IV-FR AND LR) Department, dated 31.01.2022 and also further direct the respondents to continue the services of the petitioners till they attain the age of 62 (Sixty Two) years with all consequential monetary and service benefits.

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 services of the petitioners till they attain the age of 62 years with all consequential monetary and service benefits, Pending disposal of WP 10858 of 2026, on the file of the High Court.

The petition/Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI M VENKATA SAI NIKHIL KASHYAP Advocate for the Petitioner(s), GP FOR SERVICES II Advocate for the Respondent Nos.1 to 3, Standing Counsel for Agriculture and Co-Operation Department for Respondent Nos.4 & 5 and the Court made the following.

ORDER

Learned Government Pleader for Services-I takes notice for respondents.

The petitioners originally were appointed in various capacities for respondent No.5. Later in view of the surplus staff, their services were engaged with the Employment Exchange Office. Such proceedings dated 18.06.2013 and

19.09.2013 respectively issued by the District Collector, Ananthapuramu, have been filed as ExhibitP6. In terms of Memo No.29730/484/SMPC/ 99 dated 20.09.1999 which issued certain guidelines/clarifications for the purpose of allotment of surplus staff, all the benefits that are extended to the Government Employees are to be extended to such surplus persons, as such, the petitioners are to be extended for all the benefits extended to regular Government Employees. This Court in W.P.No.8947 of 2023 has considered similar circumstances and passed interim orders permitting the petitioner therein to continue with the services till attaining the age of superannuation of 62 years.

Having regard to the aforesaid circumstances, the respondents are directed to continue the petitioners in service till they attain the age of superannuation of 62 years or further orders of this Court.

Let counter be filed within a period of four (04) weeks, reply if any, be filed within a period of two (02) weeks thereafter.

List the matter along with W.P.No.10141 of 2025.

//TRUE COPY//

SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The District Collector, Ananthapuramu.
2. The Principal Secretary, The State of Andhra Pradesh, Department of Employment and Training, Secretariat, Amaravathi, Guntur District Andhra Pradesh 522237
3. The District Collector and The Chariman Surplus Manpower Cell (SMPC), Anantapur, Anantapur District 515001
4. The District Employment Officer, District Employment Exchange Office, Anantapur, Anantapur District 515001
5. The State of Andhra Pradesh, Represented by its Principal Secretary, Agriculture and Co-Operation Department, Secretariat, Amaravathi, Guntur District Andhra Pradesh 522237

6. The Registrar/Managing Director, The Andhra Pradesh State Cooperative Rural Irrigation Corporation (APSCRIC), H.No. 52-1/3-4/4C, Road N0.IB, NTR Colony, Vijayawada, NTR District. (By RPAD - 2 to 6 - along with a copy of petition and memorandum of grounds) ✓
7. One CC to SRI. M VENKATA SAI NIKHIL KASHYAP Advocate [OPUC] ✓
8. Two CCs to GP FOR SERVICES II, High Court Of Andhra Pradesh. [OUT] ✓
9. One CC to Standing Counsel for Agriculture and Co-Operation Department, High Court Of Andhra Pradesh. [OUT] ✓
10. **One spare copy**

TVSR

HIGH COURT

DR,J

DATED: 23/04/2026

LIST THE MATTER ALONG WITH W.P.NO.10141 OF 2025

ORDER

WP.No.10858 of 2026

DIRECTION

