

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

THURSDAY, THE THIRTY FIRST DAY OF JULY,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE THE CHIEF JUSTICE SRI DHIRAJ SINGH THAKUR

AND

HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

WP(PIL) NO: 84 OF 2025

ALONG WITH

WP.No.11172, 11654 & 11678 OF 2025

WP(PIL) No.84 OF 2025:

Between:

National Federation of The Blind, (Regd.No.4866) Having its National Office at Plot No.6, Sector-21, PushpVihar, New Delhi- 110 017 Having its Branch Office at D.No. 2/98-2, 2nd Floor, Maruthi Nagar Street, Kadapa Andhra Pradesh- 516 001, Through its Secretary, Mr. K Nageshwaraiah Aged about 43 years, Occ: Govt. Employee S/o K. Ramaiah, R/o 38/169-2-21, Arundathi Nagar, Kadapa, Andhra Pradesh- 516002 Ph. 9441621898, Email. nfbap2015@gmail.com / nageswara1982@gmail.com

Petitioner/s

AND

1. The State of Andhra Pradesh, Rep., by its Chief Secretary, Secretariat Building Velagapudi, Amaravathi, Andhra Pradesh
2. The State of Andhra Pradesh, Rep., by its Secretary to the Government, Department of School Education, Education Dept., Secretariat Building Velagapudi, Amaravathi, Andhra Pradesh
3. The State of Andhra Pradesh, Rep., by its Secretary to the Government, Department of Women Development, Child & Differently Abled Welfare, Secretariat Building Velagapudi, Amaravathi, Andhra Pradesh

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 to issue a writ, order or direction more particularly one in the nature of writ of mandamus to declaring the

a) Allow this writ petition;

b) Issue a writ of certiorari or any other writ order or direction calling for the records relating to enactment of impugned Andhra Pradesh State Teachers Transfers Regulation Act 2025, examine the same and declare the same ultra virus and repugnant to the Rights of Persons With disabilities Act, 2016 (Central Legislation) in so far as the same has been made applicable to the teachers and headmaster Grade-II with visual impairment and other disabilities

c) Issue a writ of mandamus or any other appropriate writ order or direction thereby directing the respondents to exempt the visually impaired and other disabled teachers and headmasters Grade II from routine transfer and posting under the Andhra Pradesh State Teachers Transfers Regulation Act 2025, impugned in the present petition, and continue to deal with the posting and transfer of teachers and headmaster Grade II with visual impairment and other disabilities as per previous practice.

d) Issue a writ of mandamus or any other appropriate writ order or direction thereby further directing the respondents to frame a separate transfer and posting policy for teachers and headmasters Grade II with visual impairment and other disabilities In terms of section 20(5) of RPWD act 2016 by providing exemption to them from the rotational transfer policy/transfer and allowing them to continue in the same job, where they would have achieved the desired performance. The respondents may further be directed to

incorporate in the said separate transfer and posting policy for disabled a provision to give, preference in place of posting at the time of transfer/promotion.

IA NO: 2 OF 2025

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to stay the operation and applicability of the impugned Andhra Pradesh State Teachers Transfers Regulation Act 2025 to the posting and transfer of teachers and headmasters Grade II with visual impairment and other disabilities, Pending disposal of WP(PIL) 84 of 2025, 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 the order of the High Court dated 01.05.2025 made herein and upon hearing the arguments of M/s. K Anjana Rama Kameswari, Advocate for the Petitioner, the Additional Advocate General for the Respondents;

WP NO: 11172 OF 2025:

Between:

1. Visually Challenged Employees Association, Andhra Pradesh, Reg. No.171/2013, 5-43/9, T-4, Anjani Towers, Gollapudi, Vijayawada, Andhra Pradesh, Rep. By its State President, G.Ravindra Babu, S/o G.Radha Krishnaiah, D.No.64-9-17, 2nd Floor, Beside Ramalayam, Patamata Lanka, Vijayawada, Andhra pradesh.
2. Nuthalapati Venkateswara Rao, S/o Nageswara Rao, aged about 51 Years, working as School Assistant, D.No.8-116, Near Anjaneya Swami Temple, Pedaparini, Guntur District.
3. Ganta Surya Narayana, S/o Satyam Naidu, aged about 51 years, working as School Assistant, R/o Sivananda Nagar, Narsipuram, Vizinagaram, Andhra Pradesh.

...Petitioners

AND

1. State of Andhra Pradesh, Rep. By its Chief Secretary, A.P. Secretariat, Velagapudi, Guntur, Andhra Pradesh.
2. The State of Andhra Pradesh, Rep by its Principal Secretary, Ministry of Human Resources Development, IT, Electronics and Communication, A.P. Secretariat, Velagapudi, Guntur, Andhra Pradesh.
3. The State of Andhra Pradesh, Rep. by its principal Secretary, Department of Women, Children, Differently Abled and Senior Citizens, A.P. Secretariat, Velagapudi, Guntur, Andhra Pradesh.
4. The State of Andhra Pradesh, Rep by its Principal Secretary, Department of Social Welfare, A.P. Secretariat, Velagapudi, Guntur, Andhra Pradesh.
5. Union of India, Rep by its Secretary, Department of Empowerment of Persons with Disability, 5th Floor, Antyodaya Bhawan, C.G.O Complex, Lodhi Road, New Delhi - 110003.
6. State of Andhra Pradesh, Rep. By its Principal Secretary, School Education Department, A.P. Secretariat, Velagapudi, Guntur, Andhra Pradesh.
7. Commissioner of School Education, D.No.398/3, Vidya Bhavan, Venkatadiri Towers, Atmakur Village, Mangalagiri Mandal, Guntur District.

...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 orders especially in the form of WRIT OF MANDAMUS by declaring the provisions 5(1), 10(iii), 11(ii), 11 (A), 11(3) (i) (ii), 18(7) of the Andhra Pradesh State Teachers Transfers Regulation Act, 2025, as Discriminatory, Arbitrary, Unreasonable and is in violation of Article 14, 16, 21 and 254(1) of Constitution of India and ultra vires to the spirit of section 3, 5, 6, 20 of the Rights of Persons with Disabilities Act, 2016 And consequently, direct the respondents to issue appropriate proceeding by

making it clear that visually challenged people are exempted from the said provisions of the Act of the Andhra Pradesh State Teachers Transfers Regulation Act, 2025;

IA NO: 1 OF 2025:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to restrain the respondent authorities from effecting transfers of the visually challenged teachers as per new act of 2025 but continue to follow G.O.Ms.No.31 of 31 of 2017 dt:31.05.2017, G.O.Ms.54 of 2020 Dt:12.10.2020, G.O.Ms.No.47 of 2023 dt:22.05.2023, G.O.Ms.No.75 of 2024 dt:17.08.2024, pending disposal of WP.No.11172 of 2025, 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 the order of the High Court order dated 01.05.2025 made herein and upon hearing the arguments of Sri K.S.Murthy Associates, Advocate for the Petitioners and GP for General Administration Department for the Respondent Nos.1 & 2 and GP for Social Welfare for the Respondent Nos.3 & 4 and Sri Pasala Ponna Rao, Deputy Solicitor General for the Respondent No.5 and GP for Education for the Respondent Nos.6 & 7;

WP NO: 11654 OF 2025:

Between:

Mohammad Hussain, S/o Mohmmad Subhani Age 36 years, Occ: SGT (Telugu) Presently Working at MPPS, Sivapuram, Nizapatnam Mandal, Guntur District

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Chief Secretary, A.P. Secretariat, Amaravati Andhra Pradesh
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, School Education Department, A.P. Secretariat, Amaravati Andhra Pradesh

3. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Women development, Child and Differently abled welfare A.P. Secretariat, Amaravati Andhra Pradesh
4. The Commissioner School Education Department, A.P. Secretariat, Amaravati Government of Andhra Pradesh, Ibrahimpatnam, Krishna district, Andhra Pradesh

Respondents

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 may be pleased to

(a) Issue a Writ of Certiorari, or any other appropriate writ, order, or direction, quashing Sections 10(3)(i)(ii), 11(1)(i)(ii), Note A and B, 11(3)(i)(ii)(iii) of the impugned Andhra Pradesh State Teachers Transfers Regulation Act, 2025 by declaring the artificial classification created by the Impugned Act is bad in law to the extent they prescribe higher disability thresholds and withdraw critical protections

(b) Issue a Writ of Mandamus or any other appropriate writ, order of direction, directing the Respondents to exempt the Petitioner with disabilities from compulsory, routine, and rotational transfers under the Andhra Pradesh State Teachers Transfers Regulation Act, 2025, irrespective of any benchmark percentage of disability as contained in the Act, 2025

(c) Further declare that the benchmark for preferential treatment for persons with disabilities shall be 40% percent as per the RPWD Act, 2016.

(d) Further directing the Respondents to frame and implement a separate, disability-sensitive transfer and posting policy for teachers and headmasters with disabilities, in compliance with the mandate of Section 20(5) of the Rights of Persons with Disabilities Act, 2016, ensuring reasonable accommodation, accessibility, and substantive equality

IA NO: 1 OF 2025

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 may be pleased to stay the operation and applicability of the Andhra Pradesh State Teachers Transfers Regulation Act. 2025 to visually challenged or orthopedically handicapped and other disabled Petitioner and restrain the Respondents from effecting transfers of the Petitioner, Pending disposal of WP No.11654 of 2025, 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 the order of the High Court order dated 05.05.2025 made herein and upon hearing the arguments of Sri G V L Murthy, Advocate for the Petitioner, and of Additional Advocate General for the Respondents;

WP NO: 11678 OF 2025:

Between:

1. K Chandra Shekar, S/o K. Jagan Mohan Aged about 48 years, Occupation SGT Working at Mandal Parishad Primary School, Nandanpalli Village Kurnool Mandal, Kurnool District 518452
2. N. Gouri Padmaja, W/o V.V.Subramanyam Aged about 57 Years. Occ SGT Working At Mandal Parishad School Dinnedevarapadu Kurnool Mandal, Kurnool District
3. Dadu Surya Prakash Reddy, S/o Dadu Jayarami Reddy Aged about 43 years Occ Shool Asst Telugu Working at Govt High School for Boys, Urdu, Kurnool Kurnool Mandal, Kurnool Distirict
4. Dinne Visweswarappa, S/o Dinne Pullappa Aged about 50 years, OCC SGT Working at Mandal Parishad Primary School, R. Colony Village Kurnool Mandal, Kurnool district
5. B. Indira, W/o D. Bhaskar, Aged about 52 years, Occ Secondary Grade Teacher, Working at Mandal Parishad Primary School, Pasupala Vill., Kurnool Mdl.and Dist. 518452.
6. . K. Mahalakshmi, W/o K. Venkatewarlu, Aged about 47 years, Occ Secondary Grade Teacher, Working at Mandal Parishad Primary School, Munagalapadu Vill., Kurnool Mdl. and Dist. 518006.

7. K. Thimmappa, S/o K. Sunkanna, Aged about 59 years, Occ School Asst. Biological Science, Working at Zilla Parishad High School, R. Colony Vill., Kurnool Mdl. and Dist.
8. A.Sanjamala Chinna, S/o S.Dastagiri Saheb Aged about 43 years Occ School Assistant English ZPHS, Shareen Nagar, Kalluru Mandal, Kurnool District
9. Muthoju Jagan Mohanachari, S/o Veerabrahmam, Aged about 50 years Occ School Asst. Physical Education, Working at Govt. High School for Bay's, B Camp, Kurnool Mandal and Dist.
10. G.Venkatanarayana Reddy, S/o G. Narayana, Aged about 83 years, Occ Secondary Grade Teacher, Working at Mandal Parishad Primary School, Akuthotapalli Vill Anantapuramu Mdl. and Dist. 515001
11. M. Lakshmana, S/o M. Suryanarayana, Aged about 50 years, Occ Secondary Grade Teacher. Working at Mandal Parishad Primary School, Nandamuri Nagar, Anantapuramu Rural 515001
12. P. Sai Prasad, S/o P. Kullayappa, Aged about 47 years, Occ. School Asst. Telugu, Working at Zilla Parishad High School, Rapthadu Vill.. Rapthadu Mandal, Anantapuramu Dist. 515722
13. G. Sreenivasulu, S/o G. Pedda Venkata Ramudu, Aged about 46 years, Occ School Asst. English, Working at Zilla Parishad High School, Tapovan Nagar Vill.. Anantapuramu Mdl., Anantapuramu Dist. 515001
14. R.Sunetha, W/o Bheema Sena Aged about 45 years, Z.P.H.school, Vandala Pamulapadu mandalam, Nandyala District
15. K.Ramesh Kumar, S/o K.Venaktapppa Aged 49 years, Occ SA English MPP(Urdu), Nabikota, Kadapa Mandal and District
16. M.P. Sowjanya, W/o Y. Nagi Reddy, Aged about 52 years, Occ School Asst. English, Working at Zilla Parishad High School, Buja Buja Nellore Vill., Nellore Rural Mandal, S.P.S.R. Nellore Dist. 52400
17. S. Suresh, S/o S. Ramanaiah, Aged about 42 years, Occ Secondary Grade Teacher, Working at Mandal Parishad Primary

School, Raja Gopal Reddy Nagar Vill., Nellore Rural Mandal, S.P.S.R. Nellore Dist. 524002.

18. B. Rajamma, W/o B. Venkata Subba reddy, Aged about 44 years, Occ Secondary Grade Teacher, Working at Mandal Parishad Primary School, Din Bus Nellore Vill. Nellore Rural Mandal SPSR Nellore Dist. 524004
19. P. Rosi Reddy, S/o P. Veera Swamy reddy Aged about 53 years, Occ Secondary Grade Teacher Working at Mandal Parishad Pr Primary School, Kothuru Vill. Nellore Rural Mandal, S.P.S.R. Nellore Dist. 524004
20. SK. Riyaz, S/o SK. Babulu, Aged about 48 years, Occ Secondary Grade Teacher. Working at Mandal Parishad Primary School, Vandluru Vill., Nellore Rural Mandal, S.P.S.R. Nellore Dist. 524004
21. G. Ravi, S/o G. Ramanaiah, Aged about 56 years, Occ Secondary Grade Teacher, Working at Mandal Parishad Primary School, Shivaji Nagar Vill.. Nellore Rural Mandal, S.P.S.R. Nellore Dist. 524004.
22. Y. Lakshamma, W/o K. Rajasekhara Reddy, Aged about 50 years, Occ Secondary Grade Teacher, Working at Mandal Parishad Primary School, Gundla Palem (V. Palem) Vill., Nellore Rural Mandal, S.P.S.R. Nellore Dist. 524003.
23. M.V. Krishnaiah, S/o M. Venkataiah, Aged about 50 years, Occ Secondary Grade Teacher, Working at Mandal Parishad Primary School, Bhagath Singh Colony, Nellore Urban Mandal, S.P.S.R. Nellore Dist. 524005.
24. SK. Khaderunnisa Begum, W/o SK. Bhanu, Aged about 41 years, Occ Secondary Grade Teacher Urdu, Working at Mandal Parishad Primary School (Urdu), Vaviletipadu Vill., Nellore Rural Mandal, S.P.S.R. Nellore Dist. 524003
25. D. Anjaneyulu, S/o D. Thirupathaiah, Aged about 44 years, Occ Secondary Grade Teacher, Working at Mandal Parishad Primary

School, Chandra Babu Nagar Vill., Nellore Rural Mandal, S.P.S.R. Nellore Dist. 524004

26. P. Venkateswarlu, S/o P. Ramanaiah, Aged about 50 years, Occ Secondary Grade Teacher, Working at Mandal Parishad Primary School, Kallurupalli Sangam Colony, Nellore Rural Mandal, S.P.S.R. Nellore Dist. 524004
27. S. Mallikarjuna Sarma, S/o SV. Subramanyam, Aged about 52 years, Occ. School Asst. Physical Science, Working at Zilla Parishad High School, Krishi Nagar Vill Nellore Rural Mandal. S.P.SR Nellore Dist. 524005
28. P. Chandra Sekhar Reddy, S/o P. Dasaratha Ramaiah Aged about 54 years, Occ School Asst. Maths Working at Zilla Parishad High School, Krishi Nagar Vill.. Nellore Rural Mandal. S.P.SR. Nellore Dist. 524005
29. G. Venkateswara Rao, S/o G. Venkata Subbalah. Aged about 41 years, Occ School Asst. Maths, Working at Zilla Parishad High School, Vejendla Vill.. Chebrolu Mandal, Guntur Dist. 522213
30. M. Lakshminarayana, S/o M. Venkateswarlu, Aged about 45 years, Occ. Secondary Grade Teacher, Working at Mandal Pariahad Primary School, 10th Ward, Vinukonda, Vinukonda Mandal, Palnadu Dist. 522647
31. A. Veeranjanyulu, S/o A. SrinivasaRao, Aged about 38 years, Occ Secondary Grade Teacher, Working at Mandal Pariahad Primary School, 9th Ward. Vinukonda, Vinukonda Mandal, Palnadu Dist. 522647
32. Vadaga Prasad, S/o Vadaga Babu Rao, Aged about 45 years, Occ Secondary Grade Teacher, Working at Mandal Pariahad Primary School, Turangi Vill, Kakinada Rural Mandal, Kakinada Dist. 533016
33. S.CH. Khasim saheb, S/o S.Dastagiri Saheb Aged about 43 years, Shool Assistant English ZPHS, Shareen Nagar, Kalluru Mandal, Kurnool district

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Chief Secretary, A.P. Secretariat, Amaravati Andhra Pradesh
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, School Education Department, A.P. Secretariat, Amaravati Andhra Pradesh
3. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Women development, Child and Differently abled welfare A.P. Secretariat, Amaravati Andhra Pradesh
4. The Commissioner School Education Department, A.P. Secretariat, Amaravati Government of Andhra Pradesh, Ibrahimpatnam, Krishna district, Andhra Pradesh

Respondent

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 may be pleased to

(a) Issue a Writ of Certiorari, or any other appropriate writ, order, or direction, quashing Sections 10(3)(i)(ii), 11(1)(i)(ii), Note A and B and 11(3)(i)(ii)(iii) of the impugned Andhra Pradesh State Teachers Transfers Regulation Act, 2025 by declaring the artificial classification created by the Impugned Act is bad in law to the extent they prescribe higher disability thresholds and withdraw critical protections

(b) Issue a Writ of Mandamus or any other appropriate writ, order or direction, directing the Respondents to exempt the Petitioners with disabilities from compulsory, routine, and rotational transfers under the Andhra Pradesh State Teachers Transfers Regulation Act, 2025, irrespective of any benchmark percentage of disability as contained in the Act, 2025

(c) Further declare that the benchmark for preferential treatment for persons with disabilities shall be 40 % as per the RPWD Act, 2016

(d) Further directing the Respondents to frame and implement a separate, disability-sensitive transfer and posting policy for teachers and headmasters with disabilities, in compliance with the mandate of Section 20(5)

of the Rights of Persons with Disabilities Act, 2016, ensuring reasonable accommodation, accessibility, and substantive equality

IA NO: 1 OF 2025

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 to stay the operation and applicability of the Andhra Pradesh State Teachers Transfers Regulation Act, 2025 to visually challenged or orthopedically handicapped and other disabled petitioners and restrain the Respondents from effecting transfers of the Petitioners, Pending disposal of WP No.11678 of 2025, 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 the order of the High Court order dated 05.05.2025 made herein and upon hearing the arguments of Sri G V L Murthy, Advocate for the Petitioner, and of Additional Advocate General for the Respondents;

ORDER:

“Learned counsel for the respondents prays for and is granted time to file response.

List on 23.10.2025.

Interim orders granted earlier shall stand extended till the next date of hearing.”

//TRUE COPY//

**SD/-U.SRI DEVI
DEPUTY REGISTRAR

SECTION OFFICER**

To,

1. One CC to M/s. K Anjana Rama Kameswari, Advocate [OPUC]
2. One CC to Sri K.S.Murthy Associates, Advocate [OPUC]
3. Two CCs to GP for General Administration Department, High Court of AP [OUT]
4. Two CCs to GP for Social Welfare, High Court of AP [OUT]
5. One CC to Sri Pasala Ponna Rao, Deputy Solicitor General [OPUC]

6. Two CCs to GP for Education, High Court of AP [OUT]
7. One CC to Sri G V L Murthy, Advocate [OPUC]
8. Two CCs to GP for Services I, High Court of Andhra Pradesh [OUT]
9. One spare copy

HIGH COURT

HC,J&

RRR,J

DATED: 31/07/2025

LIST ON 23.10.2025

ORDER

WP(PIL) NO: 84 OF 2025

ALONG WITH

WP.No.11172, 11654 & 11678 OF 2025

INTERIM ORDER EXTENDED

