

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.: W.P.Nos.11376 and 11183 of 2026

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE
01.	27.04.2026	<u>DR. J</u> The present writ petitions are filed assailing the memo dated 08.04.2026 issued by the 1st respondent, wherein general directions were issued to the Commissioner of Endowments (FAC), A.P., to implement the Government Memo dated 04.08.2015 with prospective effect. Learned Senior Counsel appearing on behalf of the petitioners has brought to the notice of this Court that the Government has considered and issued a memo on 04.08.2015 with a specific direction to the Commissioner requesting to examine all cases where persons have been made Executive Officers in a wrong manner and take necessary steps to rectify these deficiencies so that there is fairness and transparency in the process of effecting promotions to persons working in temples. When the said memo was not implemented by the competent authority, some of the persons have approached the Andhra Pradesh Administrative Tribunal by filing O.A.No.2312 of 2018 and the same was dismissed vide order dated 26.10.2018. Aggrieved by the said order,	(contd..)

		the petitioners therein have filed W.P.No.42923 of 2018 and a Division Bench of the Composite High Court at Hyderabad has considered the entire issue and has passed the following orders: “This being the situation, when the Government itself required the Commissioner of Endowments, Andhra Pradesh, to undertake a review of all appointments/promotions made to the posts of Executive Officers in the context of the observations made in the Memo and the O.A. was filed for a direction to the Commissioner to abide by the said Memo, this Court is at a loss to understand as to how the Tribunal can reject such a request. The Commissioner of Endowments, Andhra Pradesh, was, in any event, bound to abide by the directive of the Government in the Memo dated 04.08.2015 irrespective of whether or not the Tribunal issued any direction in that regard. All that the applicants in the O.A. sought was an impetus to the Commissioner to undertake the review as directed by the Government. We therefore set aside the order dated 26.10.2018 passed by the Tribunal In O.A.No.2312 of 2018 and direct the Commissioner of Endowments, Andhra Pradesh, to undertake the review in terms of the Memo dated 04.08.2015. The Commissioner of Endowments, Andhra Pradesh, shall conclude this exercise expeditiously and in any event, not later than six months from the date of receipt of a copy of this order.” (contd..)	
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		When that being the situation, for the reasons best known to the respondents, now the present impugned memo has been issued without implementing the orders passed by the Government in earlier memo dated 04.08.2015 in toto. By virtue of the impugned memo, the respondents want to effect further illegality by promoting irregular Executive Officers. Reply to the said contentions, learned Government Pleader appearing on behalf of the respondents has placed the instructions furnished by the Commissioner of Endowments dated 26.04.2026, wherein it is stated that implementation of the Government Memo dated 04.08.2015 with retrospective effect would disturb the settled positions and settled seniority of all those Executive Officers. Hence, the Government has considered and issued the present impugned memo for implementation prospectively. Considering the said submissions, it is very surprising to see the instructions furnished by the Commissioner. The issue involved in the present litigation is that Government has identified certain illegal appointments and issued a specific Government Memo dated 04.08.2015 directing the Commissioner to review such illegal appointments and remove the disparity to effect further promotions. But surprisingly, the Commissioner, in his instructions, has stated that the impugned memo dated 08.04.2026 was	(contd..)
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		issued only to avoid litigation. This Court is not inclined to concur with the expression made by the Commissioner in his instructions, as there is a specific direction issued by the Division Bench to implement the Government Memo dated 04.08.2015 in toto. The respondents ought not to have taken a contrary stand to effect the said memo prospectively. Accordingly, the memo dated 08.04.2026 issued by the 1st respondent is suspended. List the matter after eight (8) weeks for filing counter. DR, J lvd	
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