



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

[3208]

MONDAY, THE FOURTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

**PRESENT
THE HONOURABLE SRI JUSTICE D RAMESH**

WRIT PETITION NO: 12018/2026

Between:

1. KATARI PRATHAP GANDHI, S/O. SRI BHASKAR NAIDU
AGE 57 YEARS, OCC JUNIOR ASSISTANT IN GOVT.
JUNIOR COLLEGE R/O. D.NO.8-1/3A, KBN COMPLEX,
TUMMULAGUNTA - 517 502 TIRUPATI RURAL MANDAL,
TIRUPATI DISTRICT
2. MUMMANI RAVI PRAKASH RAO,, S/O. SRI
VENKATAIAH AGE 58 YEARS, OCC JUNIOR
ASSISTANT IN GOVT. JUNIOR COLLEGE R/O.
D.NO.28/1060-1A-50, SAI BABA NAGAR, NANDYAL - 518
502 NANDYAL DISTRICT
3. MALAVATHU VENKATA SIVA PRASAD,, S/O. SRI
RAMANAIAH AGE. 58 YEARS, OCC. JUNIOR
ASSISTANT IN GOVT. JUNIOR COLLEGE R/O.
D.NO.8/365-28, PN ROAD, SRIKALAHASTI - 517 644
TIRUPATI DISTRICT
4. M. SHANMUGAM REDDY,, S/O. SRI MUTHU KRISHNA
REDDY AGE. 51 YEARS, OCC. TYPIST IN GOVT.
JUNIOR COLLEGE R/O. D.NO.6-151, AKKARAMPALLI,
T.N. PALEM TIRUPATI - 517 507, TIRUPATI DISTRICT
5. AMANAGANTI UMA MAHESHWARA PRASAD,, S/O. SRI
RAMA DASAIAH AGE. 56 YEARS, OCC. RECORD
ASSISTANT IN GOVT. JUNIOR COLLEGE R/O. NEW
PET, CHANDRAGIRI - 517 101, TIRUPATI DISTRICT
6. N. MUNI SANKARA REDDY,, S/O. SRI SRINIVASULU
REDDY AGE. 57 YEARS, OCC. RECORD ASSISTANT IN
GOVT. JUNIOR COLLEGE R/O. D.NO. 1-88/1, PERURU -
517 505, TIRUPATI RURAL MANDAL TIRUPATI
DISTRICT

7. SINGULURU GIRI GOPAL,, S/O. LATE SRI SUBRAHMANYAM AGE. 55 YEARS, OCC. OFFICE SUBORDINATE IN GOVT. JUNIOR COLLEGE R/O. D.NO.1-1/A, PERURU - 517 505, TIRUPATI RURAL MANDAL TIRUPATI DISTRICT
8. KURRA SUDHAKAR REDDY,, S/O. LATE SRI SUBBARAMI REDDY AGE. 51 YEARS, OCC. OFFICE SUBORDINATE IN GOVT. JUNIOR COLLEGE R/O. D.NO.20-2-505B, MARUTHI NAGAR, KORLAGUNTA TIRUPATI - 517 501, TIRUPATI DISTRICT .

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS SECRETARY SCHOOL EDUCATION DEPARTMENT A.P. SECRETARIAT, VELAGAPUDI - 522 503 AMARAVATI, GUNTUR DISTRICT.
2. THE DIRECTOR OF INTERMEDIATE EDUCATION A P, AT ESHWAR ELITE, TADEPALLI - 522 502, GUNTUR DISTRICT
3. THE REGIONAL JOINT DIRECTOR OF INTERMEDIATE EDUCATION, KADAPA - 516 001, YSR DISTRICT.

...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 declaring the action of the Respondents in not including the names of the Petitioners in the provisional seniority list prepared by the 3rd Respondent for promotions to the next higher posts from the absorbed non-teaching staff pursuant to G.O.Ms.No.51 SE (IE) Department dated 17.08.2021 on the ground that the Service Rules for staff absorbed from Aided Junior Colleges have not yet framed as illegal, arbitrary and violative of Articles 14, 19 and 21 of the Constitution of India and consequently direct the Respondents to include the names of the Petitioners in the provisional seniority list at appropriate places and promote them to the next higher posts on par with other non-teaching staff of the Government Junior Colleges in the provisional seniority list by duly framing the Service Rules for

the staff, who were absorbed from the Aided Junior Colleges into Government Junior Colleges forthwith as was done in respect of similarly situated staff working in Government Schools and pass

IA NO: 1 OF 2026

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 direct the Respondents to include the names of the Petitioners in the provisional seniority list prepared by the 3rd Respondent for giving promotions to the next higher posts in the Government Junior Colleges forthwith, pending disposal of the present Writ Petition and pass

Counsel for the Petitioner(S):

1.N SIVA REDDY

Counsel for the Respondent(S):

1.GP FOR SERVICES III

The Court made the following ORDER:

1. This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in not including the names of the petitioners in the provisional seniority list prepared by the Respondent No.3 for promotions to the next higher posts from the absorbed non-teaching staff pursuant to G.O.Ms.No.51 SE(IE) Department, dated 17.08.2021 on the ground that the Service Rules for staff absorbed from Aided Junior Colleges have not yet framed as illegal, arbitrary and violative of Articles 14, 19 and 21 of the Constitution of India and consequently direct the respondents to include the names of the petitioners in the provisional seniority list at appropriate places and promote them to the next

higher posts on par with other non-teaching staff of the Government Junior Colleges in the provisional seniority list by duly framing the Service Rules for the staff, who were absorbed from the Aided Junior Colleges into Government Junior Colleges forthwith as was done in respect of similarly situated staff working in Government Schools and pass....”

2. Heard the learned counsel for the petitioners and the learned Government Pleader for the respondents.

3. The case of the petitioners is that they are presently working as non-teaching staff in Government Junior Colleges after being surrendered by their parent aided institutions to the Government pursuant to G.O.Ms.No.51, School Education (IE) Department, dated 17.08.2021. Following the said Government Order, the Commissioner of Intermediate Education issued proceedings dated 30.11.2021 directing that all absorbed aided staff be posted to nearby Government Junior Colleges, and accordingly the petitioners were posted and have been working from 01.12.2021 onwards. The said G.O. stipulates that the existing aided staff shall be absorbed into Government institutions by duly framing Rules governing their service and other related matters. It further directs the Commissioner to take necessary steps, including preparation of guidelines and

proposals for issuance of special or amended service Rules to operationalize the absorption policy. It is further submitted that although they have been discharging duties on par with other Government Junior College staff for more than four years, the required Special Service Rules for the absorbed staff have not yet been framed. Due to this inaction, they are not being treated on par with other staff and are deprived of several service and monetary benefits, including inclusion in provisional seniority lists and consideration for promotion. The authorities have been preparing provisional seniority lists for the last two years excluding the absorbed aided non-teaching staff on the ground that service rules have not yet been framed, despite representations submitted by the petitioners seeking framing of such rules. It is further stated that in a similar situation concerning aided schools under G.O.Ms.No.50, School Education (Services-II) Department, the Government subsequently amended the relevant rules through G.O.Ms.No.156, School Education (Services-II) Department, dated 25.09.2022, enabling absorbed staff to receive promotions and benefits, whereas no such rules have been framed for

Junior College staff, resulting in discrimination and denial of legitimate service benefits. Hence, the writ petition.

4. The learned counsel for the petitioners submits that once the petitioners' services were absorbed into Government service, they are equally entitled to be considered for promotion to the next higher posts on par with other eligible non-teaching staff, and therefore the objection raised by the respondents is wholly arbitrary and unsustainable. He further submits that the respondents are proceeding to finalize the panel and initiate appointments.

5. On the other hand, the learned Government Pleader, on instructions submits that proposals along with the subject-wise final seniority list have been submitted for non-teaching staff working in Government Junior Colleges.

6. Considering the submissions made by the learned counsel on either side, this Court is inclined to dispose of the writ petition with a direction to the respondents, particularly the 3rd respondent, to consider the case of the petitioners for inclusion in the panel for appointment and promotion to the next higher posts in the non-teaching category, as per their eligibility,

in accordance with law, and pass appropriate orders within a period of two (02) months from the date of the receipt of the copy of this order. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in the Writ Petition shall stand closed.

JUSTICE D.RAMESH

Dt: 04.05.2026
sj

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THE HONOURABLE SRI JUSTICE D RAMESH

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04.05.2026

sj