

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

(SPECIAL ORIGINAL JURISDICTION)

TUESDAY, THE TWENTY EIGHTH DAY OF APRIL

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 11875 OF 2026



Between:

P.Devaiah, S/o Late.Sundharam, Occ: Working as Jr.Assistant, O/o Divisional Panchayat Officer, R/o D.No.25-25-17, lane 2/3, Nethaji Nagar, Lalpuram Road, Guntur, Guntur District - 522004.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat buildings, Velagapudi, Amaranvathi, Guntur District – 522238.
2. The Commissioner of Panchayat Raj, Govt. of AP, No.12-47, P.V.S.Icon, Near Patur Cross Road, Tadepalli, Guntur, A.P - 522501.
3. The District Collector (Panchayat wing), Collectrate, Guntur, Guntur District – 522004.
4. The District Panchayt Officer, Collectorate Office Compound, Guntur, Guntur District, A.P. – 522004.
5. S.Venkateswara Rao, S/o Not known, Occ: Jr. Assistant, District Grmapanchayat Office, Narasarao Pet, Palnadu District – 522601 A P.
6. Smt.V.Sundara Aparna, W/o Not known, Occ: Jr. Assistant, District Panchayat Raj Office, Collectorate Office Compound, Guntur, Guntur District – 522004 A.P.

...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 an order or orders particularly in the nature of writ of

mandamus declaring the action of the 4th respondent in issuing the impugned proceedings of confirmed seniority list of Junior Assistants/Typists working in DPO unit in erstwhile Guntur district, in RC No.5596/2001-G1, without considering the objections raised by the petitioner here in and placing the respondents 5 and 6 in the confirmed seniority list at serial no 1 and 3 is illegal, arbitrary, unconstitutional and in violation of Article 14, 16A, 19 and 21 of the constitution of India and also in utter violation of rule 35(b) of AP State and Subordinate Service rules 1996 and consequently direct the respondents to consider the objections raised by the petitioner here in with regard to seniority list of junior assistants consider the case of the petitioner for promotion as Senior Assistant.

IA NO: 1 OF 2026

Petition under Section 151 of 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 stay of all further proceedings in pursuance of the impugned proceedings issued by the 4th respondent in RC No.5596/2001-G1 in which conformed seniority list of Junior Assistants/Typists working in DPO unit in erstwhile Guntur District, pending disposal of WP 11875 of 2026, 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 upon hearing the arguments of Sri G.Elisha, Advocate for the Petitioner and of GP for Panchayat Raj and Rural Development Department for Respondent Nos. 1 to 4, the Court made the following

ORDER:

“Learned Government Pleader for Higher Education, takes notice for respondent Nos.1 to 3.

Learned counsel for the petitioner is permitted to take out personal notice on respondent Nos.5 & 6 through speed post with acknowledgment due and file proof of service in the Registry.

Aggrieved by the action of respondents in preparing and finalizing the seniority list, the present writ petition is filed.

Respondents have prepared the seniority list placing respondent Nos.5 & 6 above to the petitioner, which is contrary to the undertaking given by the respondent Nos.5 & 6 at the time of repatriation to the parent department and posting them as Junior Assistant *vide* order dated 05.10.2019. Surprisingly, the respondents have now considered the cases of respondent Nos.5 & 6 as if they were appointed as Junior Assistants in the years 1998 and 2001, which is contrary to Rule 35(b) of the Andhra Pradesh State and Subordinate Service Rules, 1996 (for brevity "Service Rules"). ✓

Considering the aforesaid submissions and also on perusal of the record, this Court finds that when there is a repatriation of respondent Nos.5 & 6 in the year 2019, if the said orders are not in conformity with rule 35 (a) of the Service Rules, the authority should have considered their cases as per 35(b) of the Service Rules.

In view of the above, there shall be a stay of all further proceedings pursuant to the impugned order dated 17.04.2026. —

List this matter after Summer Vacation, 2026."

//TRUE COPY//

SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR
118
SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj and Rural Development Department, State of Andhra Pradesh, Secretariat buildings, Velagapudi, Amaravathi, Guntur District – 522238.
2. The Commissioner of Panchayat Raj, Govt. of AP, No.12-47, P.V.S.Icon, Near Patur Cross Road, Tadepalli, Guntur, A.P - 522501.

3. The District Collector (Panchayat wing), Collectrate, Guntur, Guntur District – 522004.
4. The District Panchayt Officer, Collectorate Office Compound, Guntur, Guntur District, A.P. – 522004.
5. S.Venkateswara Rao, Occ: Jr. Assistant, District Grmapanchayat Office, Narasarao Pet, Palnadu District – 522601 A P.
6. Smt.V.Sundara Aparna, Occ: Jr. Assistant, District Panchayat Raj Office, Collectorate Office Compound, Guntur, Guntur District – 522004 A.P. (Addressee Nos. 1 to 6 by RPAD)
7. One CC to Sri G.Elisha, Advocate [OPUC]
8. Two CCs to GP for Panchayat Raj and Rural Development Department, High Court of Andhra Pradesh. [OUT]
9. One spare copy.

PSD

HIGH COURT

DR,J

DATE:28/04/2026

NOTE: LIST THIS MATTER AFTER SUMMER VACATION, 2026.

ORDER

WP.No.11875 of 2026

STAY

