

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

FRIDAY, THE SECOND DAY OF MAY

TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN

IA No. 1 OF 2025

IN

WP NO: 11508 OF 2025

Between:

1. V. Narayanappa, S/o Nangappa, Aged about 59 Years, Occ: Office Sub-ordinate, R/o D.No. 5-1-2-161, D.R Colony, Hindupur, Anantapur District, Andhra Pradesh.
2. V. Venkataramanappa, S/o V. Narayanappa, Aged about 59 Years, Occ: Office Sub-ordinate, R/o D.No. 5-7-131, D.R Colony, Hindupur, Anantapur District, Andhra Pradesh

...Petitioners

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Department of Employment and Training, Secretariat, Amaravathi, Guntur District Andhra Pradesh
2. The District Collector and The Chariman Surplus Manpower Cell (SMPC), Anantapur, Anantapur District
3. The District Employment Officer, District Employment Exchange Office, Anantapur, Anantapur District

4. The State of Andhra Pradesh, Represented by its Principal Secretary, Agriculture and Co-Operation Department, Secretariat, Amaravathi, Guntur District Andhra Pradesh
5. The Andhra Pradesh State Cooperative Rural Irrigation Corporation (APSCRIC), H.No. 52-1/3-4/4C, Road No.1B, NTR Colony, Vijayawada, NTR District Represented by its Registrar/Managing Director

...Respondents

Counsel for the Petitioners : SRI. M VENKATA SAI NIKHIL KASHYAP

Counsel for the Respondents : GP FOR SERVICES II

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 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 No. 11508 of 2025, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case). The Court made the following

ORDER:

Petitioners were initially appointed as Nominal Muster Roll (NMR) employees (as Helper) in 1988 and 1987 with 5th respondent Corporation. It is stated that petitioners and other employees, who have been engaged with the 5th respondent, in view of they being surplus, came to be accommodated in existing vacancies and accordingly, were redeployed and allotted to District Employment Exchange Office,

Ananthapuramu, by proceedings, dated 08.01.2014, issued by the District Collector, Ananthapuramu, and since then, have been discharging duties as such.

2. Learned Government Pleader for Services-II appearing for the respondents, on the other hand, would submit that as petitioners have been initially appointed as NMR with 5th respondent Corporation, though in spite of they being later redeployed with the District Employment Exchange, Ananthapuramu, in terms of the aforesaid order, dated 08.01.2014, they have to be superannuated by following the service regulations as applicable to the said Corporation and cannot claim parity with Government employees. He placed reliance on the judgment of the Division Bench in W.A.No.1055 of 2022 and batch, dated 05.05.2023. Learned Government Pleader based on the written instructions has further stated that the redeployment orders issued earlier has been rescinded by G.O.Ms.No.180, Finance (H.R.I. PLG-Policy), dated 25.10.2018. Therefore, petitioners cannot claim that they are entitled to be treated on par with Government employees.

3. This Court finds that though petitioners were originally appointed with 5th respondent Corporation as they have been later redeployed to work with Government, by proceedings, dated 08.01.2014, and since then, they have been working with all benefits as entitled by Government employees and having regard to the scheme of redeployment formulated in terms of various Government Orders and Memo.No.29730/484/SMPC/99, dated 20.09.1999. The instructions relied on by learned Government Pleader also indicates that G.O.Ms.No.180, dated 25.10.2018 has been challenged before this Court in W.P.No.36354 of 2017 and that there is an order of *Status Quo*, basing on which, petitioners' are continuing at the place where they have been redeployed. Whereas, petitioners' repatriation back to the parent organization would ultimately rest on outcome of W.P.No.36354 of 2017 and as on today, petitioners are continuing to work with 3rd respondent.

This Court is of the *prima facie* opinion that once petitioners have been redeployed, they would be entitled for the benefits of Government employees as they continues to work in the Government Department.

4. Matter requires deep examination and as this Court in W.P. No.8947 of 2023, has considered similar circumstances and passed interim orders permitting the petitioners therein to continue with the services till attaining the age of superannuation of 62 years, which later was followed in W.P.No.10141 of 2025.

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

Sd/- K.TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER
For Assistant REGISTRAR

To,

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

5. The Registrar/Managing Director, Andhra Pradesh State Cooperative Rural Irrigation Corporation (APSCRIC), H.No. 52-1/3-4/4C, Road No.1B, NTR Colony, Vijayawada, NTR District. (2, 3, & 5 by RPAD)
6. One CC to Sri. M Venkata Sai Nikhil Kashyap Advocate [OPUC]
7. Two CCs to GP for Services II ,High Court Of Andhra Pradesh. [OUT]
8. One spare copy

NSR

HIGH COURT

CGR,J

DATED:02/05/2025

LIST THE MATTER ALONG WITH W.P.NO.8947 OF 2023

ORDER

IA No. 1 OF 2025

IN

WP NO: 11508 OF 2025

DIRECTION

