

APHC010235252018



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

[3529]

MONDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

THE HONOURABLE SRI JUSTICE T.C.D.SEKHAR

WRIT PETITION NO: 11324/2018

Between:

1. R VENKATESWARLU, OCC-STENOGRAPHER GRADE-II, O/O.
ADDL. SENIOR CIVIL JUDGE'S COURT, TIRUPATI, R/O. TIRUPATHI,
CHITTOOR DISTRICT.

...PETITIONER

AND

1. THE HIGH COURT OF JUDICATURE, AT HYDERABAD FOR THE
STATES OF TELANGANA AND THE STATE OF ANDHRA PRADESH,
HYDERABAD, REP. BY ITS REGISTRAR (ADMINISTRATION).

2. THE PRINCIPAL DISTRICT JUDGE, CHITTOOR DISTRICT AT
CHITTOOR.

3. ADDITIONAL SENIOR CIVIL JUDGE, TIRUPATI, CHITTOOR
DISTRICT

4. STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL
SECRETARY, LAW DEPARTMENT, SECRETARIAT, AMARAVATHI
AT VELAGAPUDI.

...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 writ, order or direction more in the nature of Writ Of Mandamus declaring Dis No. 2472 dated 22-03-2018 of the Second

Respondent in directing the Third Respondent to recover the alleged excess amounts drawn by the Petitioner on account of fixation of pay of the Petitioner to the post of Stenographer Grade-II w.e.f 02-04-2003 as wholly illegal, arbitrary and contrary to the provisions of Article 14, 19 and 21 of Constitution of India and also contrary to the orders of this Hon'ble Court in WP NO. 23451 of 2017 dated 13-09-2017 and set-aside e same and pass

IA NO: 1 OF 2018

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 suspend the operation and execution of the Proceedings Dis No. 2472 dated 22-03-2018 of the Second Respondent including recovery of monies from the salary of the Petitioner pending disposal of the above writ petition and to pass

Counsel for the Petitioner:

1. NAGESWARA RAO V

Counsel for the Respondent(S):

1. GP FOR LAW LEGISLATIVE AFFAIRS (AP)

2. K SRINIVASA RAO

The Court made the following Order: *(per Hon'ble Sri Justice R. Raghunandan Rao)*

Heard Sri V. Nageswara Rao, learned counsel for the petitioner and Sri K. Srinivasa Rao, learned appearing for the respondents 1 to 3 and Learned Government Pleader for Law Legislative Affairs appearing for the 4th respondent.

2. The petitioner was working as a Steno-Typist, in the unit of District Judge, West Godavari District and had been transferred to the unit of Chittoor District, at his request, with effect from 27.08.2003, and joined in Chittoor, on 17.09.2003. The petitioner was initially placed in the cadre of Stenographer Grade-II from 01.04.2003 by way of the proceedings, dated 31.05.2014 of the Principal District Judge, West Godavari. Upon transfer, to the Chittoor District, the petitioner was placed in the category of Stenographer Grade-III, as on 01.04.2003 by a parallel proceeding, dated 12.03.2014, issued by the Principal District Judge, Chittoor. The petitioner was also promoted, by the Principal District Judge, Chittoor, as Stenographer Grade-II with effect from 23.12.2013. Aggrieved by the said promotion, with effect from 23.12.2013, the petitioner had made a request to the Principle District Judge, Chittoor, for fixing the seniority, as the Stenographer Grade-II, with effect 17.09.2003. However, this representation of the petitioner was rejected, by the Principal District Judge, Chittoor, by proceedings dated 15.11.2014.

3. To cut a long story short, the aforesaid categorization of the petitioner as Stenographer Grade-III from 01.04.2003 resulted in the loss of

seniority for the petitioner as well as proceedings for recovery of excess amounts that are said to have been drawn by the petitioner, in the post of Stenographer Grade-II, with effect from 02.04.2003. The petitioner filed this Writ Petition, challenging the proceedings of the Principal District Judge, Chittoor, dated 22.03.2018, seeking recovery of excess payments of salary paid, to this petitioner with effect from 02.04.2003.

4. Similarly, the petitioner also moved the erstwhile High Court of Andhra Pradesh, by way of W.P.No.20451 of 2018 seeking a declaration from this Court that he should be treated as a Stenographer Grade-II with effect from 01.04.2003.

5. A Division Bench of this Court by its Judgment, dated 30.12.2024, in W.P.No.20451 of 2018 had held, in the Paragraphs Nos. 22 & 23, as follows:

“22. Accordingly, the Writ Petition is allowed setting aside the Impugned Proceedings, dated 24.04.2018, issued by the 1st respondent, with a further direction to the Principal District Judge, Chittoor, arrayed as the 2nd respondent to place the petitioner as Stenographer Grade-II, as of 17.09.2003, at the bottom of the list of Stenographer Grade-II and to give all consequential seniority and promotions.

23. It is submitted by the learned Standing counsel for the 1st respondent that the petitioner has already been granted monetary benefits as if the petitioner has been included in the cadre of Stenographer Grade-II from 17.09.2003 itself. In the event such benefits have not been given, the same may also be considered. There shall be no order as to costs.”

6. In view of the aforesaid Judgment of this Court, the petitioner would have to be treated as discharging a function of Stenographer Grade-II with effect from 17.09.2003 and that he would be entitled to all monetary

benefits, in the post of Stenographer Grade-II, from 17.09.2003 itself. In that view of the matter, this Writ Petition is allowed setting aside the order of the Principal District Judge, Chittoor, dated 22.03.2018. There shall be no order as to costs.

As a sequel, pending miscellaneous applications, if any, shall stand closed.

R. RAGHUNANDAN RAO, J

T.C.D. SEKHAR, J

Date:- 20.04.2026

BSM

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

AND

THE HONOURABLE SRI JUSTICE T.C.D.SEKHAR

WRIT PETITION NO: 11324 of 2018

Date:-20.04.2026

BSM