

HIGH COURT OF ANDHRA PRADESH : AT AMARAVATI

MAIN CASE No: C.C.No.1843 of 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
05.	07.07.2026	<u>GTK,J</u> On 29.06.2026, taking into consideration the contentions advanced and the order passed by this Court, and in view of the fact that there is a deliberate violation, this Court directed the concerned officer to be present, if the order passed by this Court in Writ Petition is not complied with. Today, Mr.V.Ram Manohar, learned counsel representing Mr.P.Nagaraju, learned counsel for respondent No.2, would place the instructions dated 07.07.2026, and states that, after obtaining the approvals from the competent authorities, the Finance Department issued Circular Memo dated 18.06.2026 to all the departments for processing the applications of eligible contract employees through the NIDHI portal, in accordance with the provisions of Andhra Pradesh Regularization of Services of Contract Employees Act, 2023 (Act No.30 of 2023) and orders issued in G.O.Ms.No.114, Finance (HR.I-Plg. & Policy) Department, dated 21.10.2023. Mr.Ch.Samson, learned counsel representing Mr.G.Raju, learned counsel for respondent Nos.1 to 3, would place on record the proceedings issued by the 4th respondent <i>vide</i> Rc.No.228/E5/DMHO/CTR/2026, dated 17.06.2026. The relevant portion of the said proceedings	Contd....

		reads as follows: <i>“Thereafter, after careful examination of the representation submitted by Sri A. Yerraiah, Lab Technician Grade-II (CB), ICTC, Chittoor, the available records and upon consideration of the provisions of Act. No.30 of 2023 and G.O.Ms.No.114, Finance (HR-I Plg. & Policy) Department, dated:21/10/23, in compliance with the orders of the Hon’ble High Court of Andhra Pradesh in W.P.No.19104 of 2025, it is observed that the petitioner is not entitled for regularization of services as his appointment was not made against substantive vacancy of permanent sanctioned posts with concurrence of Finance Department and he has been continuing under a scheme based under contractual agreement.”</i> There is a clear divergence between the proceedings issued by the 4th respondent and the instructions placed on record by the Principal Secretary to Government. It is not known as to how the District Medical and Health Officer, Chittoor District, issued proceedings stating that the petitioner in the Writ Petition is not entitled for regularization since he was not appointed against a substantive vacancy. As per G.O.Ms.No.114, dated 21.10.2023, the aspect of substantive vacancy is required to be considered only after the particulars of eligible candidates are called for and their cases are examined. Giving a go-by to the said proceedings, the District Medical and Health Officer issued the proceedings, without looking into the proceedings issued by the Finance Department. It is also stated by the learned counsel for the petitioner that his application was called for regularization in tune with Act No.30 of 2023 and G.O.Ms.No.114. Mr.Ch.Samson, learned counsel, would submit that since a speaking order is passed, the petitioner is always	Contd....
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at liberty to challenge the said proceedings.

This Court is not in acceptance to the said submission made by the learned counsel appearing for respondent Nos.1 to 3 that when this Court passed an order to consider the case of the petitioner, it means that the application of mind is necessary to the facts and circumstances and then pass the order.

In view of the above reasoning, this Court finds that there is total non-application of mind, which amounts to contemptuous conduct.

Learned counsel for the petitioner would also draw the attention of this Court that, in similar circumstances, the State has issued regularization orders by issuing separate memos.

It is needless to mention that every authority falls under the control of the State and under Article 300 of the Constitution of India is liable to follow the guidelines issued by the department.

In view of the above stated facts and reasons, and since the speaking order passed is not in strict compliance, the 4th respondent is directed to appear in person before this Court on 13.07.2026 at 10:30 A.M. and explain as to why the said order was passed without looking into the proceedings issued by the Finance Department.

Post the matter on 13.07.2026 under the caption 'For Appearance'.

GTK,J

BMS