

[3548]

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

FRIDAY, THE FIFTEENTH DAY OF MAY,
TWO THOUSAND AND TWENTY SIX



**:PRESENT:
THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA**

WRIT PETITION NO: 14279 OF 2026

Between:

Darla Balramaiah, S/o Subbarayudu, Aged about 60 years, Occ
Executive Engineer (APTIDCO) R/o 1/33-2, Ravindra Nagar,
Chemmumiyapeta, Ravindra Nagar, Kadapa, YSR Kadapa District,
Andhra Pradesh - 516 003

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary Municipal Administration and Urban Development, Urban Housing, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District, Andhra Pradesh - 522 238
2. The State of Andhra Pradesh, Rep. by its Principal Secretary Department Of Finance (HR.IV-FR and LR) Secretariat, Velagapudi, Amaravati. Guntur District, Andhra Pradesh - 522 238
3. The Andhra Pradesh Housing Board, Rep by its Vice Chairman and Housing Commissioner. Door No.521, Prasadampadu, Vijayawada NTR District, Andhra Pradesh - 521 107
4. The Vice-Chairman and Housing Commissioner, Andhra Pradesh Housing Board, Door No.521, Prasadampadu, Vijayawada, NTR District, Andhra Pradesh - 521 107

5. The Executive Engineer (Housing), Andhra Pradesh Housing Board, A.P. Housing Board, Kalluripalli, Nellore Rural, SPSR Nellore District Andhra Pradesh - 524 003

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 a writ order or direction more particularly the one in the nature of writ of Mandamus declaring the inaction of the Respondents in extending the age of superannuation from 60 to 62 years to the employees of the 3rd Respondent Organization, including the Petitioner, as illegal, arbitrary, and violative of Articles 14, 16, 21, and 23 of the Constitution of India to declare Memo No. AP Ordinance 01/B6/APHB/2022 dated 27.09.2022 and Cir. Memo No. 1813129/FIN01-HR/212/2022-HR-IV dated 23.09.2022 as null and void; consequently direct the Respondents to continue the Petitioner in service up to the age of 62 years, without break in service, with full back wages, arrears, and all consequential benefits;

IA NO: 1 OF 2026

Petition under Section 151 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 direct the respondents to enhance the age of superannuation of the petitioner from 60 years to 62 years on par with the Government employees in terms of G.O.Ms No. 15 dated 31.01.2022 issued by the 1st respondent, pending disposal of the case;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. VALLURI HEMANTH MANIKANTA CHARY, Advocate for the Petitioner and of GP FOR SERVICES I for the Respondent Nos.1 & 2;

The Court made the following ORDER:

Heard Mr. R. Venkatesh, learned counsel representing Sri V.Hemanth Manikantha Chary, learned counsel for the petitioner and learned Assistant Government Pleader for Services-I.

The learned counsel for the petitioner submits that, as on date, the petitioner has been discharging duties as Executive Engineer in the respondent No.3 organization since its inception. It is further submitted that the petitioner is going to attain the age of superannuation on 31.05.2026 and that he has been orally directed not to attend duties, through Circular No.10812/Estt/B5/2000/31, dated 20.02.2026.

He further asserts that this Court, in a similar issue, passed an order in W.P.No.6962 of 2025 holding that:-

“Learned counsel for the petitioner submits that by various orders, this Court has directed the employees who are working with Andhra Pradesh Housing Board to continue in their services till they attain the age of superannuation till 62 years. Therefore, similar benefits be extended in the present case.

However, learned Standing counsel for the respondents opposed the same and contended that the Hon’ble Division Bench of this Court in W.A.No.946 of 2024 stayed the earlier orders passed whereby the age of superannuation was continued till 62 years.

The Hon’ble Division Bench of this Court in I.A.No.1 of 2019 in W.P.No.25188 of 2018 and batch by an order dated 19.11.2024 while dismissing the review applications, concurred with a view expressed by the Hon’ble Division Bench of Erstwhile High Court in W.P.No.26495 and 26926 of 2015, wherein operation of Section 16 of Housing Board Act, dealing with the age of superannuation for employees of Housing Board came to be considered and held that the age of superannuation of those employees shall be in paramateria

with that of the Government employees in terms of Andhra Pradesh Act No.4 of 2022. Further the Coordinate Bench in W.P.No.25938 of 2024 passed interim order allowing the petitioner therein to continue in service till attaining the age of 62 years, after considering the interim order passed in W.A.No.946 of 2024.

In view of the aforesaid orders passed by this Court, there shall interim direction to the respondents to continue the petitioner in service till he attains the age of superannuation until further orders”.

The facts throws light that the petitioner was discharging his duties on deputation to APTIDCO, and in the impugned order dated 20.02.2026, it connotes that the petitioner is holding a pensionary job, who was asked to submit his pension papers. As per the A.P. Revised Pension Rules, 1980, only Government employees are entitled as per the definition.

In view of the above reasoning, there shall be a direction to the respondents to continue the petitioner in service till he attains the age of superannuation or subject to the result of this Writ Petition, whichever is earlier.

List the matter after Summer Vacation, 2026.

SD/- U.SRIDEVI
DEPUTY REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary Municipal Administration and Urban Development, Urban Housing, The State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District, Andhra Pradesh - 522 238.

2. The Principal Secretary Department Of Finance (HR.IV-FR and LR),
The State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati.
Guntur District, Andhra Pradesh - 522 238. (1 & 2 by SPECIAL
MESSENGER)
3. The Vice Chairman and Housing Commissioner, The Andhra Pradesh
Housing Board, Door No.521, Prasadampadu, Vijayawada NTR District,
Andhra Pradesh - 521 107
4. The Vice-Chairman and Housing Commissioner, Andhra Pradesh
Housing Board, Door No.521, Prasadampadu, Vijayawada, NTR
District, Andhra Pradesh - 521 107
5. The Executive Engineer (Housing), Andhra Pradesh Housing Board,
A.P. Housing Board, Kalluripalli, Nellore Rural, SPSR Nellore District
Andhra Pradesh - 524 003. (Addressee Nos.3 to 5 BY RPAD)
6. One CC to Sri. VALLURI HEMANTH MANIKANTA CHARY, Advocate
[OPUC]
7. Two CCs to GP FOR SERVICES I, High Court Of Andhra Pradesh.
[OUT]
8. **One spare copy**

JSS

HIGH COURT

GTK, J

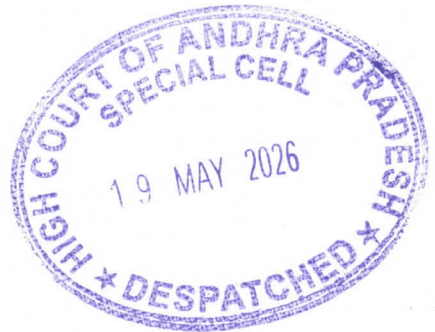
DATED:15/05/2026

LIST THE MATTER AFTER SUMMER VACATION, 2026.

ORDER

WP.No.14279 of 2026

DIRECTION



vc