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APHC010270062012



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

[3562]

MONDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

WRIT PETITION NO: 34418/2012

Between:

1. THE GOVERNMENT OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY (FIRE SERVICES) DEPARTMENT, SECRETARIAT HYDERABAD.
2. THE DIRECTOR GENERAL, STATE DISASTER RESPONSE & FIRE SERVICE DEPARTMENT 1ST FLOOR, 'B' BLOCK, B.R.K. BHAVAN, LOWER TANK BUND HYDERABAD.
3. THE REGIONAL FIRE OFFICER, S.R. ANANTHAPUR, ANANTHAPUR DISTRICT.

...PETITIONER(S)

AND

1. B ADISHESHAIAH, WORKING AS FIREMAN, FIRE STATION KALYANDURG, ANANTHAPUR DISTRICT.
2. B HARI BABU, S/O B.BALA KRISHNAIAH, AGED 61 YEARS, DRIVER OPERATOR, APSDR AND FIRE SERVICE NELLORE FIRE STATION, NELLORE DISTRICT.
3. V MOSES, S/O JOSEPH, AGED-60 YEARS, DRIVER OPERATOR, APSDR AND FIRE SERVICE DARSI FIRE STATION, PRAKASAM DISTRICT.
4. P RAGHU, S/O PITCHAIAH, AGED-60 YEARS DRIVER OPERATOR, APSDR AND FIRE SERVICE MAGALAGIRI FIRE STATION, KIRSHNA DISTRICT.
5. D VENKATESWARLU, S/O D.ADHISESTHU , AGED-56 YEARS DRIVER OPERATOR, APSDR AND FIRE SERVICE AGUTUR FIRE STATION, PRAKASAM DISTRICT.
6. I JYOTESWARA REDDY, S/O I RAMACHANDRA REDDY, AGED 61 DRIVER OPERATOR, APSDR AND FIRE SERVICE, CHITTOOR FIRE STATION, CHITTOOR DISTRICT.
7. S VENKATESH, S/O S. VENKATA RAMUDU, AGED-48 DRIVER OPERATOR, APS DR AND FIRE SERVICE, ADONI FIRE STATION, KURNOOL DISTRICT.
8. B NANIKA, S/O BABULU, AGED-57 YEARS DRIVER OPERATOR, APSDR AND FIRE SERVICE, MAILAVARAM FIRE STATION, KRISHNA DISTRICT.
9. R SRINIVASA RAO, S/O VENKATA RATNAM, AGED-60 YEARS DRIVER OPERATOR, APSDR AND FIRE SERVICE MAGALAGIRI FIRE STATION, KRISHANA DISTRICT.
- 10.M SURENDRA BABU, S/O M.RAMAIAH, AGED-56 YEARS DRIVER OPERATOR, APSDR AND FIRE SERVICE SULULURIPETA FIRE STATION, TIRUPATI DISTRICT.

- 11.B RAMADAS NAIK, S/O B.TAKRE NAIK, AGED - 54 YEARS DRIVER OPERATOR, APSDR AND FIRE SERVICE RAYACHOTI FIRE STATION, ANNAMAYYA DISTRICT.
- 12.S RAVINDRA NAIK, S/O S CHINNA DEVL NAIK, AGED-47 DRIVER OPERATOR, APSDR AND FIRE SERVICE DARMAVARAM FIRE STATION, SATHYA SAI DISTRICT
- 13.T RAMANJANEYULU, S/O T.LAKSHMI NARYANA, AGED-47 DRIVER OPERATOR, APSDR AND FIRE SERVICE GUNTAKAL FIRE STATION, ANANTAPURAM DISTRICT.
- 14.G APPALARAJU, S/O LATE G.NARAYYA, AGED-48 DRIVER OPERATOR, APSDR AND FIRE SERVICE AMADALAVALASA FIRE STATION, VIJAYANAGARAM DISTRICT
- 15.P CHANDRA SEKHARARAO, S/O P.BHASKAR RAO, AGED 48 DRIVER OPERATOR, APSDR AND FIRE SERVICE AMADALAVALASA FIRE STATION, VIJAYANAGARAM DISTRICT.
- 16.C SREENIVASULU REDDY, S/O LATE C.SUBBA REDDY, AGED-44 DRIVER OPERATOR, APSDR AND FIRE SERVICE KADAPA FIRE STATION,YSR KADAPA DISTRICT
- 17.G GANGADHAR YADAV, S/O G PEDDA VEMAIAH, AGED-45 YEARS DRIVER OPERATOR, APSDR AND FIRE SERVICE KADAPA FIRE STATION, YSR KADAPA DISTRICT.
- 18.M VIJAYA KUMAR, S/O, M.VEERABHADRARAO, AGED-42YEARS DRIVER OPERATOR, APSDR AND FIRE SERVICE KAKINADA FIRE STATION, KAKINADA DISTRICT.
- 19.S GANAPATI, S/O S.VENKATARAMANA, AGED-40 YEARS DRIVER OPERATOR, APSDR AND FIRE SERVICE PEDDAPURAM FIRE STATION, KAKINADA DISTRICT.
- 20.S SRINIVAS, S/O SATHYANARAYANA, AGED 49 YEARS DRIVER OPERATOR, APSDR AND FIRE SERVICE ,ATTILI FIRE STATION, WEST GODAVARI DISTRICT.

- 21.K NAGA BABU, S/O K. RAMMOHAN RAO, AGED-44 DRIVER OPERATOR, APSDR AND FIRE SERVICE BHIMADU FIRE STATION, WEST GODAVARI DISTRICT.
- 22.K V ANIL KUMAR, S/O,K, RAJESHWARRAO, AGED-44 DRIVER OPERATOR, APSDR AND FIRE SERVICE ONGOLE FIRE STATION, PRAKASAM DISTRICT.
- 23.S ABDUL AMEED, S/O S.ABDUL SATTAR, AGED-44 DRIVER OPERATOR, APSDR AND FIRE SERVICE MADANAPALLE FIRE STATION, ANNAMAYYA DISTRICT.
- 24.I N VENKATA SYAM KUMAR, S/O I MARI RAJU, AGED-44 DRIVER OPERATOR, APSDR AND FIRE SERVICE DENDULURU FIRE STATION, WEST GODAWARI DISTRICT.
- 25.B RAJA GOPAL NAIK, S/O B SANKARA NAIK, AGED-51 DRIVER OPERATOR, APSDR AND FIRE SERVICE VALMIKIPURM FIRE STATION, ANNAMAYYA DISTRICT.
- 26.S SUDHAKAR REDDY, S/O S.PAPI REDDY, AGED-41 DRIVER OPERATOR, APSDR AND FIRE SERVICE MADANAPALLE FIRE STATION, ANNAMAYYA DISTRICT.
- 27.J SATHEEMOHAN, S/O J.NAGAPPA, AGED 36 DRIVER OPERATOR, APSDR AND FIRE SERVICE MYDHUKUR FIRE STATION, YSR KADAPA DISTRICT
- 28.S BABJEE, S/O S.MAHABOOB BASHA, AGED 40 DRIVER OPERATOR, APSDR AND FIRE SERVICE MADANAPALLE FIRE STATION, ANNAMAYYA DISTRICT. RESPONDENT NO.2 TO 28 ARE IMPEADED AS PER C.O.DT.30.3.2026 ,VIDE I.A.NO.2 OF 2025 IN W.P.NO.34418 OF 2012.

...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 toto issue appropriate writ order or direction more particularly one in

the return of Writ of Certiorari calling for the records relating to the order made in O.A.No.7375/2008, dated 13-07-2012 by the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad and to quash or set aside the same as contrary to law and erroneous

IA NO: 1 OF 2012(WPMP 43773 OF 2012)

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 of the orders made in O.A.No.7375/2001, dated 13-07-2012 by the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad pending disposal of the writ petition

IA NO: 1 OF 2017(WPMP 6758 OF 2017)

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 permit the implead petitioner Association/ Proposed respondent No. 2 to implead as Respondent No. 2 in WP.No. 34418 of 2012 and as well as in WPMPs also and pass

IA NO: 2 OF 2017(WPMP 8819 OF 2017)

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 permit the petitioners herein to file additional affidavit and pass

IA NO: 3 OF 2017(WPMP 29727 OF 2017)

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

IA NO: 4 OF 2017(WPMP 30048 OF 2017)

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 direct the implead (1) A.P. State Disaster Response & Fire Services Department Driver Operators Association (Affiliated to A.P. Government Vehicle Central Association), Government Drivers Association Building, Collector Office Compound, Guntur-4 represented by its State

President K.V. Anil Kumar S/o Rajeswara Rao, 36 years, Driver Operator, Adanki Fire Station, Prakasam District and (2) K. Govardhana Rao S/o Venkateswara Rao, 53 years, State Secretary, A.P. State Disaster Response & Fire Services Department Driver Operators Association, Driver Operator, Guntur-1 Fire Station, Guntur District as Respondent Nos. and in Writ Petition No. 34418 of 201 for proper adjudication of the case and pass

IA NO: 5 OF 2017(WVMP 137667 OF 2017)

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

IA NO: 1 OF 2025

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 may be pleased to permit the petitioners to come on record as respondent No.2 to 6 by impleading them as respondent in the writ petition and pass

IA NO: 2 OF 2025

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 may be pleased to implead the proposed Respondent Nos. 2 to 28 as Respondent Nos. 2 to 28 in the main V\rit Petition and pass

Counsel for the Petitioner(S):

- 1.GP FOR SERVICES I

Counsel for the Respondent(S):

- 1.M SRIKANTH
- 2.
- 3.J VIJAY KUMAR GOUD

The Court made the following:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

WRIT PETITION NO: 34418/2012

ORDER: *(per Ravi Nath Tilhari, J)*

Heard Sri R.S.Manidhar Pingali, learned Assistant Government Pleader for the petitioners – the State of Andhra Pradesh also heard Sri M.Surrender Rao, learned senior counsel assisted by Sri M.Srinivas Rao, learned counsel for respondent No.1. Respondent Nos.2 to 28 were impleaded and representing through Sri M.Srikath, learned counsel appearing through virtual mode.

2. The applicants in OA.No.7375 of 2008 filed the said OA to declare Rule 3 of the A.P., Fire Subordinate Service issued vide G.O.Ms.No.568, dated 24.11.1992 in so far as it relates to the posts of Station Fire Officer whereby and where under the driver operator (Catg. – 4) was made a feeder posts to the posts of station Fire Officer as illegal. The OA was allowed by an order dated 13.07.2012. Rule 3 was declared as ultra vires and G.O.Ms.No.568 was set aside. Challenging that order of Tribunal the State of AP and other authorities (respondents in OA) has filed the present writ petition.

3. Sri R.S.Manidhar Pingali, learned Assistant Government Pleader for the petitioners submits that the same order of the Tribunal passed in the same OA

was also challenged in W.P.No.30581 of 2012 and 46084 of 2022 by the petitioners of both the writ petitions, which were allowed by the High Court for the State of Telangana at Hyderabad vide judgment dated 22.01.2025. The same order of the Tribunal was set aside with further directions to the State Government. Learned Assistant Government Pleader for the petitioners submits that in view thereof, the present writ petition also deserves to be allowed in same terms.

4. Sri M.Surrender Rao, learned senior counsel assisted by Sri M.Srinivas Rao, learned counsel for respondent No.1 submits that since the same order of the Tribunal has been set aside by the High Court of Telangana with certain directions there is no need to set aside the same order impugned in the present writ petition and the present writ petition has been rendered infructuous.

5. We have considered the aforesaid submissions. Since, the same order of the Tribunal dated 13.07.2012 passed in OA.No.7375 of 2008 has already been set aside by the judgment dated 22.01.2025 passed in W.P.Nos.30581 of 2012 and 46084 of 2022 by the High Court of Telangana, the same judgment shall also govern the present writ petition.

6. The writ petition is disposed of providing that the judgment dated 22.01.2025 in W.P.Nos.30581 of 2012 and 46084 of 2022 passed by the High Court of Telangana shall also govern this writ petition.

No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, shall also stand closed.

RAVI NATH TILHARI,J

SUBHENDU SAMANTA,J

Dated:22.06.2026
AG

Whether the Order is:

Speaking		Reasoned	
Reportable		Non-reportable	

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THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

WRIT PETITION NO: 34418/2012

Dated:22.06.2026
AG