

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI  
(SPECIAL ORIGINAL JURISDICTION)  
THURSDAY, THE TWENTY FIRST DAY OF MAY  
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA  
WRIT PETITION NO: 14509 OF 2026

Between:



1. A.Srinivasa Rao, S/o. Late Venkata Ratnam,  
Age: 58 years, Occ: Contract Lecturer in Commerce,  
Government Arts College (A), Rajahmundry-533103.
2. P.Padma Sekhar, S/o. Srinivasa Rao, Age: 47 years,  
Occ: Contract Lecturer in Commerce, Government  
Degree College, Jaggampeta, Kakinada District-533435
3. D.Srinivasa Madhu Prasad, S/o.Rama Rao,  
Age: 48 years, Occ: Contract Lecturer in Commerce,  
P.R.Government College (A), Kakinada-533001
4. Dr.G.S.R.S.G.Nooka Raju, S/o. Chakram,  
Age: 46 years, Occ: Contract Lecturer in Commerce,  
P.R. Government College (A), Kakinada-533001
5. Ch.Balaji, S/o. Thammaraó, Age: 48 years,  
Occ: Contract Lecturer in Commerce,  
P.R. Government College (A), Kakinada-533001
6. Dr.D.S.V.N.M.Ramamurty, S/o. Raja Rao,  
Age: 47 years, Occ: Contract Lecturer in Chemistry,  
P.R. Government College (A), Kakinada-533001
7. V.Venkateswara Rao, S/o. late Appa Rao,  
Age: 48 years, Occ: Contract Lecturer in Chemistry,  
P.R. Government College (A), Kakinada-533001
8. Dr.K.Durgarao, S/o. K.Venkata Rao,  
Age: 50 years, Occ: Contract Lecturer in Physics,  
P.R. Government College (A), Kakinada-533001
9. Gogulamudi Shyam Prasad, S/o.Pitchi Reddy,  
Age: 48 years, Occ: Contract Lecturer in Mathematics,  
P.R. Government College (A), Kakinada-533001
10. Dr.Madina Saheb Shaik, S/o.Subhan Shaik,  
Age: 50 years, Occ: Contract Lecturer in Zoology,  
Government Degree College, Eleswaram-533429

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11. Dr.V.V.S.Prasad Vinnakota, S/o.Satyanarayana,  
Age: 45 years, Occ: Contract Lecturer in Political Science,  
Government Degree College, Eleswaram-533429
  12. V.Siddhardha Kumar, S/o. Venkata Ratnam,  
Age: 52 years, Occ: Contract Lecturer in History,  
Government Degree College, Ravulapalem-533238
  13. N.Durga Devi, D/o. Nagaraju, Age: 41 years,  
Occ: Contract Lecturer in Commerce, Government  
Degree College, Ravulapalem-533238.
  14. Dr.N.Gopalakrishna, S/o. Pallam Raju,  
Age: 52 years, Occ: Contract Lecturer in Computer Science,  
Government Degree College, Mandapeta-533308
  15. P.Veerababu, S/o. Kaliki Murty, Age: 47 years,  
Occ: Contract Lecturer in Economics,  
Government Degree College, Pithapuram-533450
  16. K.Parvathi Devi, D/o./W/o. Bhaskarao, Age: 40 years,  
Occ: Contract Lecturer in Political Science, S.V.L.N.S.  
Government Degree College, Bheemunipatnam-531163.
  17. Dr.D.Sivaramakrishna, S/o. Kondalarao, Age: 46 years,  
Occ: Contract Lecturer in Telugu, Government Degree College,  
Pathapatnam, Srikakulam District-532213.
  18. Y.Bala Kotaiah, S/o. Yelamanda, Age: 46 years,  
Occ: Contract Lecturer in Mathematics, S.G.T.R.M Government  
Degree College, Yerraguntla, Nandyala District-516309

... Petitioners

AND

1. The State of Andhra Pradesh, Rep.by Principal Secretary,  
Higher Education Department, Secretariat Buildings,  
Velagapudi, Amaravati – 522503
2. The Principal Secretary to Government,  
Finance (HR-I Plg. & Policy) Department,  
Secretariat Buildings, Velagapudi, Amaravati-533503
3. The Commissioner of Collegiate Education,  
Government of Andhra Pradesh, Garudadri KK Towers,  
Sri Lakshmi Narasimha Colony, Mangalagiri - 522503

4. The Regional Joint Director of Collegiate Education,  
Rajahmundry, East Godavari District-533101
5. The Regional Joint Director of Collegiate Education,  
Guntur-522002
6. The Regional Joint Director of Collegiate Education,  
Kadapa-516003
7. The Andhra Pradesh Public Service Commission (APPSC),  
Rep.by its Secretary, New Government Offices Building,  
2<sup>nd</sup> Floor, M.G. Road(Bandhar Road), Opp: Indira Gandhi  
Municipal Complex, Vijayawada- 520 010.
8. The Principal, Government Arts College (A),  
Rajahmundry-533103
9. The Principal, Government Degree College,  
Jaggampeta-533435
10. The Principal, P.R. Government College (A),  
Kakinada-533001
11. The Principal, Government Degree College,  
Eleswaram-533429
12. The Principal, Government Degree College,  
Ravulapalem-533238
13. The Principal, Government Degree College,  
Mandapeta-533308
14. The Principal, Government Degree College,  
Pithapuram-53345
15. The Principal, S.V.L.N.S. Government Degree College,  
Bheemunipatnam-531163.
16. The Principal, Government Degree College,  
Pathapatnam, Srikakulam District-532213.
17. The Principal, S.G.T.R.M Government Degree College,  
Yerraguntla, Nandyala District-516309

... Respondents

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 an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in taking steps to fill up the posts in which the Petitioners are working for the last several year ranging from 13 to 25 years with the candidates to be selected pursuant to the Result Notification dt. 13.5.2026 issued by the 7<sup>th</sup> Respondent without regularizing the services of the Petitioners under the provisions of the Andhra Pradesh Regularization of Services of Contract Employees Act, 2023 (Act 30 of 2023) and G.O.Ms.No.114, Finance (HR-I Pig. & Policy) Department, dt.21.10.2023, despite completion of the entire process of verification and approval of the Petitioners cases for regularization, as illegal, arbitrary, unconstitutional, violative of Articles 14 and 16 of the Constitution of India and contrary to the provisions of Act 30 of 2023, and consequently direct the respondents to regularize the services of the Petitioners in the posts in which they are working.

**IA NO: 1 OF 2026**

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to stay all further proceedings pursuant to the Result Notification dt.13.5.2026 issued by the 7<sup>th</sup> Respondent in respect of the posts in which the Petitioners are working with a direction to the Respondents to retain and continue the Petitioners in the posts in which they are working, Pending disposal of WP 14509 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI SRINIVAS BOBBILI, Advocate for the Petitioners, learned GP FOR HIGHER EDUCATION for the Respondent No.1,3 to 6, learned GP FOR FINANCE & PLANNING for the Respondent No.2 and of Sri G. SEENA KUMAR, Standing Counsel for the Respondent No.7, the Court made the following

**ORDER:**

Heard Mr. Srinivas Bobbili, learned counsel for the petitioners, Mr. Seena Kumar, learned Standing Counsel for Andhra Pradesh Public Service Commission (APPSC) appearing for respondent No.7 and Mr. Challa Srinivas, learned Assistant Government Pleader for Services-III appearing for respondent Nos.8 to 17.

The principal grievance of the petitioners in the Writ Petition is that the petitioners have been working since 2000 in the capacity of Contract Lecturers in Government Colleges and they were engaged after the recommendations of the Three-Men Committee consisting of the Principal of the concerned Government Degree College, a subject expert from the same college or an adjacent college and Principal of another college. The appointments engaging the petitioners in the sanctioned posts were made after due selection process and, after conducting the said recruitment process, the Selection Committee engaged the petitioners as Contract Lecturers.

It is also the case of the petitioners that recently the *Government of Andhra Pradesh Regularization of Services of Contract Employees Act, 2023 (Act 30 of 2023)* was enacted for regularization of services of contract employees who were appointed on or before 02.06.2014 and are continuing in service as on the date of commencement of the Act i.e., 20.10.2023.

Now, the concern of the petitioners is that in view of the recruitment process being conducted by the 7th respondent by issuing the resultant notification, the vacancies occupied by the petitioners may be filled by regular candidates appointed through the said selection process. It is clear that if regular candidates are appointed or selected, they must be placed in sanctioned posts. The learned Standing Counsel for APPSC appearing for the 7th respondent submits that they are not in a position at present to state whether these petitioners will be affected or not in view of the said case. However, in any event, if any person is

selected and occupies a particular place, the petitioners should/shall be shifted from the said place and adjusted in any other sanctioned posts.

Taking into consideration the aforesaid facts and circumstances and reasons, since the petitioners have been working for the past several years i.e., from 2000 onwards, and in view of the recent pronouncement of the Hon'ble Supreme Court that the experience gained by such employees over the past several years is itself a qualification and that they cannot be denied regularization, the Hon'ble Supreme Court has also categorically held that paragraph 53 of *Umadevi's* case cannot be taken as a shield to deny regularization.

The Hon'ble Supreme Court, in *Vinod Kumar and others vs. Union of India and others*<sup>1</sup>, observed at paragraphs 6 and 7 as follows:

*"6. The application of the judgment in Uma Devi (supra) by the High Court does not fit squarely with the facts at hand, given the specific circumstances under which the appellants were employed and have continued their service. The reliance on procedural formalities at the outset cannot be used to perpetually deny substantive rights that have accrued over a considerable period through continuous service. Their promotion was based on a specific notification for vacancies and a subsequent circular, followed by a selection process involving written tests and interviews, which distinguishes their case from the appointments through back door entry as discussed in the case of Uma Devi (supra).*

*7. The judgement in the case Uma Devi (supra) also distinguished between "irregular" and "illegal" appointments underscoring the importance of considering certain appointments even if were not made strictly in accordance with the prescribed Rules and Procedure, cannot be said to have been made illegally if they had followed the procedures of regular appointments such as conduct of written examinations or interviews as in the present case.*

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<sup>1</sup> (2024) 9 SCC 327

Paragraph 53 of the Uma Devi (supra) case is reproduced hereunder:

*“53. One aspect needs to be clarified. There may be cases where irregular appointments (not illegal appointments) as explained in S.V. Narayanappa [(1967) 1 SCR 128 : AIR 1967 SC 1071] , R.N. Nanjundappa [(1972) 1 SCC 409 : (1972) 2 SCR 799] and B.N. Nagarajan [(1979) 4 SCC 507 : 1980 SCC (L&S) 4 : (1979) 3 SCR 937] and referred to in para 15 above, of duly qualified persons in duly sanctioned vacant posts might have been made and the employees have continued to work for ten years or more but without the intervention of orders of the courts or of tribunals. The question of regularisation of the services of such employees may have to be considered on merits in the light of the principles settled by this Court in the cases above referred to and in the light of this judgment. In that context, the Union of India, the State Governments and their instrumentalities should take steps to regularise as a one-time measure, the services of such irregularly appointed, who have worked for ten years or more in duly sanctioned posts but not under cover of orders of the courts or of tribunals and should further ensure that regular recruitments are undertaken to fill those vacant sanctioned posts that require to be filled up, in cases where temporary employees or daily wagers are being now employed. The process must be set in motion within six months from this date. We also clarify that regularisation, if any already made, but not sub judice, need not be reopened based on this judgment, but there should be no further bypassing of the constitutional requirement and regularising or making permanent, those not duly appointed as per the constitutional scheme.”*


Be that as it is, since the petitioners for the moment are apprehending that they may be discontinued from service in view of the ongoing recruitment, there shall be a direction to the respondents to continue the petitioners as Contract Lecturers in sanctioned posts and it is made clear that the petitioners should/shall adhere to the instructions, while recruiting/appointing the direct recruits in the substantive vacancies.

List the matter along with W.P.No.29133 of 2023.

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SD/-K.V.RAGHAVULU  
ASSISTANT REGISTRAR

  
SECTION OFFICER

To,

1. The Principal Secretary, Higher Education Department, Secretariat Buildings, Velagapudi, Amaravati – 522503, State of Andhra Pradesh.
2. The Principal Secretary to Government, Finance (HR-I Plg. & Policy) Department, Secretariat Buildings, Velagapudi, Amaravati-533503
3. The Commissioner of Collegiate Education, Government of Andhra Pradesh, Garudadri KK Towers, Sri Lakshmi Narasimha Colony, Mangalagiri - 522503
4. The Regional Joint Director of Collegiate Education, Rajahmundry, East Godavari District-533101
5. The Regional Joint Director of Collegiate Education, Guntur-522002
6. The Regional Joint Director of Collegiate Education, Kadapa-516003
7. The Andhra Pradesh Public Service Commission (APPSC), Rep.by its Secretary, New Government Offices Building, 2<sup>nd</sup> Floor, M.G. Road(Bandhar Road), Opp Indira Gandhi Municipal Complex, Vijayawada- 520 010.
8. The Principal, Government Arts College (A) Rajahmundry-533103
9. The Principal, Government Degree College Jaggahipeta-533435

10. The Principal, P.R. Government College (A) Kakindda-533001
11. The Principal, , Government Degree College, Eleswaram-533429
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13. The Principal, Government Degree College Mandapeta-533308
14. The Principal, Government Degree College Pithapuram-53345
15. The Principal, S.V.L.N.S. Government Degree College Bheemunipatnam-531163.
16. The Principal, Government Degree College, Pathapatnam, Srikakulam District-532213.
17. The Principal, S.G.T.R.M Government Degree College, Yerragiintla, Nandyala District-516309 (Addressee Nos.2 to 17 by SPEED POST)
18. One CC to SRI. SRINIVAS BOBBILI Advocate [OPUC]
19. Two CCs to GP FOR HIGHER EDUCATION, High Court Of Andhra Pradesh. [OUT]
20. Two CCs to GP FOR FINANCE & PLANNING, High Court of Andhra Pradesh. [OUT]
21. One CC to SRI G. SEENA KUMAR, STANDING COUNSEL [OPUC]
22. One spare copy

Kj

HIGH COURT

GTK,J

DATED:21/05/2026

LIST THE MATTER ALONG WITH W.P.NO.29133 OF 2023

ORDER

WP.No.14509 of 2026

DIRECTION

