

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

THURSDAY, THE ELEVENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX



: PRESENT:

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 15264 OF 2026

Between:

Challa Subba Rao, S/o Late challa Radha Krishna, Aged about 60 years, Occ:
Regional Officer, APSMFC Head office R/o D.No 39-6-3, C/o Thota
Kanakamma Nilayam Flat No.FF2, Jakka Venkata Swamy St. Labbipet
Vijayawada-520010, NTR District

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Minority Welfare Department, Secretariat, Velagapudi, Amaravati. Guntur Dist-522237.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Finance Department, Secretariat, Velagapudi, Amaravati, Guntur Dist-522237.
3. The Andhra Pradesh State Minorities Finance Corporation Ltd, Rep. by its Vice Chairman & Managing Director, 3rd Floor, Anjaneya Complex, Labbipet, M.G. Road, Vijayawada.
4. The Accounts Officer, Andhra Pradesh State Minorities Finance Corporation Ltd. Vijayawada.

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 may be pleased to issue writ order or direction, more in the nature of Writ of Mandamus to declare action of the respondents in proposing to retire the petitioner from service on attaining the age of 60 years vide Retirement Notice No.72/APSMFC/ADMN/A1/2021 dated 06-04-2026, without considering the representation submitted by the petitioner dated 30.05.2026 and without awaiting the final decision of the Government on enhancement of age of superannuation, is illegal, arbitrary, unreasonable, unconstitutional and it amounts to violation of Articles 14, 16, 21,39 (d) of the Constitution of India, contrary to principles of natural justice, and direct the respondents to continue the services of the petitioner in terms of Andhra Pradesh public employment (Regulation of age of superannuation Act 1984 vide G.O.Ms.No.15 Finance (HR.IV-FR & LR) Department Govt of AP, dated 31.01.2022, and consider the representation submitted by the petitioner dated 30.05.2026. /

IA NO: 1 OF 2026

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 consider the representation submitted by the petitioner dated 30.05.2026 and continue the services of the petitioner in terms of Andhra Pradesh public employment (Regulation of age of superannuation Act 1984 vide G.O.Ms.No.15 Finance (HR.IV-FR&LR) Department Govt of AP, dated 31.01.2022, till petitioners attains age of superannuation i.e., 62 years, Pending disposal of WP No.15264 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 Mohammed Baji, Advocate for the Petitioner, and of GP for Services II for the Respondent No.1, and of GP for Services I for Respondent No.2, and of M/s

Sultana Shaik, Standing Counsel for Respondent Nos. 3 & 4, the Court made the following.

ORDER

Heard Sri Mohammed Baji, learned counsel for the petitioner and the learned Assistant Government Pleader for Services, for the respondents.

2. Assailing the proceedings issued by the Vice Chairman of respondent No.3 vide Retirement Notice No.72/APSMFC/ADMN/A1/2021, dated 06.04.2026 (Ex.P1), intimating the petitioner's date of retirement as 31.05.2026 on attaining the age of superannuation of 60 years, pending the consideration of recommendation of a group of Ministers, to extend the age of superannuation to all the employees in Corporations, institutions and PUCs from 60 years to 62 years, the above writ petition is filed.

3. Learned counsel for the petitioner would submit that a group of ministers, on 23.03.2026, recommended the extension of the age of superannuation of those employees, falling under Schedules IX and X of the Andhra Pradesh Reorganisation Act, 2014, from 60 years to 62 years.

4. He would further submit that the learned Government Pleader for Services-I, on written instructions of the Secretary to the Government (HR), Finance Department, Andhra Pradesh, in W.A.No.946 of 2024, submitted that basing on the recommendations of the Group of Ministers, the file has been prepared and is under circulation for approval of the competent authority to place it before Council of Ministers. The Hon'ble Minister for Finance has placed the proposal before the Council of Ministers. As per the Andhra Pradesh Business

Rules and as per the resolution of the Council of Ministers, the Government will take necessary action. ✓

5. Today, when the matter is taken up, the learned Government Pleader would submit that the Government is yet to take a decision.

6. As seen from the averments of the affidavit, the petitioner has been rendering service in the Corporation for more than 24 years. The Government is yet to take a decision regarding the extension of the age of superannuation from 60 years to 62 years. Retiring the petitioner from service pending consideration of the recommendation by the Group of Ministers, prima facie, is impermissible. In fact, in similar circumstances, an interim order was passed in W.P.No.14715 of 2026. ✓

7. Given the above facts and circumstances of the case, respondent No.3 shall not give effect to the proceedings (Ex.P1) and continue the petitioner to discharge duties up to 62 years or till a decision is taken by the Council of Ministers, in pursuance of the report, whichever is earlier. ✓

8. Post after three weeks. ✓

SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Minority Welfare Department, Secretariat, Velagapudi, Amaravati. Guntur Dist-522237.

2. The Principal Secretary, State of Andhra Pradesh, Finance Department, Secretariat, Velagapudi, Amaravati. Guntur Dist-522237.
3. The Vice Chairman and Managing Director, Andhra Pradesh State Minorities Finance Corporation Ltd, 3rd Floor, Anjaneya Complex, Labbipet, M.G. Road, Vijayawada.
4. The Accounts Officer, Andhra Pradesh State Minorities Finance Corporation Ltd. Vijayawada. (1 to 4 by RPAD)
5. One CC to Sri Mohammed Baji, Advocate [OPUC]
6. One CC to M/s Sultana Shaik, Standing Counsel [OPUC]
7. Two CCs to GP for Services II, High Court of Andhra Pradesh [OUT]
8. Two CCs to GP for Services I, High Court of Andhra Pradesh. [OUT]
9. One spare copy

HIGH COURT

SRS, J

DATED: 11/06/2026

POST AFTER THREE WEEKS

ORDER

WP.NO.15264 OF 2026

INTERIM DIRECTION

