

[3460]

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

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



:PRESENT:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 16990 OF 2026 ✓

Between:

1. Gadam Mallikarjuna, S/o.G Rajaiah, age 60 years, R/o 3-15-154 Easater colony, near Madeen Masjeed, Sunidpenta, Srisailam, Kurnool District.
2. Kotapati Venkata Ramana, S/o Lakshmaiah, Aged 60 years, R/o 3-51, Chinthala Agrharam, Domala Pedda, Dornala, Prakasham District A.P.
3. Domathori Narasaiah, S/o Chenniah, Aged 60years, R/o 5-24-52, near Store centre, Sundipenta, Srisailam Kurnool District.

Petitioners ✓

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Water Resources Department, Secretariat, Velagapudi, Amaravati, Guntur District - 522237.
2. The Special Chief Secretary, Finance (H.R.IV-FR and LR) Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District - 522237.
3. The Engineer-in-Chief, Water Resources Department Currency Nagar, Vijayawada, N.T.R. District -
4. The Chief Engineer, Water Resources Department, Nandyal, Nandyal District - 520008.
5. The Superintending Engineer, N.S.R.S. Srisailam Project Nandyal, Nandyal District- 518501. ✓

6. The Executive Engineer, Dam and Maintenance Division, N.S.R.S. Srisaillam Project, Nandyal, Nandyal District - 518501

7. The Deputy Executive Engineer, Dam and Maintenance, Division No. II, N.S.R.S. Srisaillam Project, Nandyal District - 518501

Respondents

WHEREAS the Petitioner above named through their Advocate SRI ELURU SESA MAHESH BABU presented this 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 one in the nature of Writ of Mandamus, declaring the actions of the 6th Respondents in issuing the discharge orders under Process No.EE/DMD/AB/EC.II/338-M superannuating the Petitioners at 60 years as illegal, arbitrary, violative of G.O.Ms. No. 15 Finance Dept, dated 31.01.2022, and violative of Articles 14 and 16 of the Constitution of India, and consequently set aside the same, with a direction to continue the Petitioners in service up to the age of 62 years with all consequential benefits.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri ELURU SESA MAHESH BABU Advocate for the Petitioners, GP for Water Sources for Respondent Nos. 1,3 to 7, GP for Finance and Planning for Respondent No.2, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, The State of Andhra Pradesh, Water Resources Department, Secretariat, Velagapudi, Amaravati, Guntur District - 522237.
2. The Special Chief Secretary, Finance (H.R.IV-FR and LR) Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District - 522237.
3. The Engineer-in-Chief, Water Resources Department Currency Nagar, Vijayawada, N.T.R. District -

4. The Chief Engineer, Water Resources Department, Nandyal, Nandyal District - 520008.
5. The Superintending Engineer, N.S.R.S. Srisailam Project Nandyal, Nandyal District- 518501.
6. The Executive Engineer, Dam and Maintenance Division, N.S.R.S. Srisailam Project, Nandyal, Nandyal District - 518501
7. The Deputy Executive Engineer, Dam and Maintenance, Division No. II, N.S.R.S. Srisailam Project, Nandyal District - 518501

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this **Writ Petition** should not be admitted returnable in four weeks to which date the case stands posted for hearing.

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 suspend the operation of the impugned discharge orders issued under Proces. No. EE/DMD/AB/EC.11/338 M by the 6th Respondent, and to continue the Petitioners in service as Man Mazdoors (NMR) respectively, on the same lines as the interim protection granted by this Hon'ble Court in W.P. No. 19059 of 2025 dated 24.07.2025, in the interest of justice and pass, pending disposal of WP No. 16990 of 2026, on the file of the High Court.

The Court made the following: ORDER

"Notice before admission, returnable in four weeks."

2. The Writ Petition is filed questioning the action of Respondents in not extending the benefit of 62 years on par with regular employees as per G.O.Ms.No.15, dated 31.01.2022 and directing the Petitioners to retire from services, as illegal and arbitrary.

3. Heard respective counsel.

4. Learned counsel for Petitioners would submit that the Petitioners as Man Mazdoor and Helper on NMR basis in NSRS Project, Nandyal

District are now working in the office of Respondent No.6. Time Scale was also extended to the Petitioners. The Government had issued G.O.Ms.No.26 dated 19.02.2019 extending the age of superannuation from 58 to 60 years. The benefit under the said G.O. was extended to the Petitioners also. However, the Petitioners were not extended the benefit i.e. extending age of superannuation from 60 years to 62 years as per G.O.Ms.No.15, dated 31.01.2022.

5. As seen from the material on record, there is no dispute that the Petitioners have been working in the office of Respondent No.6 for about 40 years. Government issued G.O.Ms.No.26, dated 19.02.2019 extending the service benefits to the NMRs/Daily Wage/Full time/Part time/Contingent employees joined before the cutoff date i.e. 25.11.1993. Petitioners services were extended in terms of the said G.O. till 60 years.

6. Whether the Petitioners are entitled for the benefits in terms of G.O.Ms.No.15, dated 31.01.2022, since the Petitioners age of superannuation was extended in terms of G.O.Ms.No.26, dated 19.02.2019, requires consideration.

7. This Court in a batch of cases granted interim orders and similar direction is given to the Respondent No.6 as under: (i) The Respondent No.6 shall reengage and continue the Petitioners in service till they attains the age of 62 years or till further order of this Court.

8. List the matter along with W.P.No19059 of 2025 to enable the learned Assistant Government Pleader for the Respondents for filing Counter Affidavit."

SD/- L.MANJULA
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary, The State of Andhra Pradesh, Water Resources Department, Secretariat, Velagapudi, Amaravati, Guntur District - 522237.
2. The Special Chief Secretary, Finance (H.R.IV-FR and LR) Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District - 522237.
3. The Engineer-in-Chief, Water Resources Department Currency Nagar, Vijayawada, N.T.R. District -
4. The Chief Engineer, Water Resources Department, Nandyal, Nandyal District - 520008.
5. The Superintending Engineer, N.S.R.S. Srisailem Project Nandyal, Nandyal District- 518501.
6. The Executive Engineer, Dam and Maintenance Division, N.S.R.S. Srisailem Project, Nandyal, Nandyal District - 518501
7. The Deputy Executive Engineer, Dam and Maintenance, Division No. II, N.S.R.S. Srisailem Project, Nandyal District - 518501
(by RPAD- along with a copy of petition and memorandum of grounds)
8. One CC to SRI. ELURU SETHA MAHESH BABU Advocate [OPUC]
9. **Two CCs to GP FOR WATER SOURCE DEPARTMENT, High Court Of Andhra Pradesh. [OUT]**
10. Two CCs to GP FOR Finance, High Court Of Andhra Pradesh at Amaravati. [OUT]
11. **One spare copy**

TVSR

HIGH COURT

VN,J

DATED: 29/06/2026

**LIST THE MATTER ALONG WITH W.P.NO19059 OF 2025 TO ENABLE
THE LEARNED ASSISTANT GOVERNMENT PLEADER FOR THE
RESPONDENTS FOR FILING COUNTER AFFIDAVIT.**

NOTICE BEFORE ADMISSION



WP.No.16990 of 2026

DIRECTION