



APHC010409502026 (SHOW CAUSE NOTICE BEFORE ADMISSION)



IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI

(Special Original Jurisdiction)

WEDNESDAY, THE 5th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 22057 OF 2026

Between:

D. V. Ramana, S/o Thathalu, Aged about 60 years, Occ Home Guard, R/o. C-25, Ashok Nagar, Desapatrunipalem, Ward-55, Parawada, Visakhapatnam District, Andhra Pradesh - 531021

...Petitioner

AND

1. State of Andhra Pradesh, Rep. by its Principal Secretary, Home Affairs, Secretariat, Velagapudi, Guntur, A.P-522237
2. Director General of Police, Government of Andhra Pradesh, Mangalagiri, Guntur, A. P-522503
3. Commissioner of Police, Police Barracks in Suryabagh, Visakhapatnam, Andhra Pradesh-530001.
4. Commandant, Home Guards, Suryabagh, Visakhapatnam, Andhra Pradesh - 530020
5. Home Guards Instructor, Reserve Inspector (RI), Visakhapatnam, Visakhapatnam District, Andhra Pradesh - 523316

...Respondents

WHEREAS the petitioner above named through his Advocate B.K.CHAKRAVARTHY 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 an order or

direction or writ more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in directing to retire from Service by 09.08.2026 instead of 09.08.2028 as per G.O.Ms.No. 15 Finance (HR.IV-FR AND LR) Department dt.31.01.2022 of the Government as illegal, arbitrary, contrary to law besides violation of Art.14 AND 21 of the Constitution of India and consequently direct the respondents to continue the Petitioner till the petitioner reached 62 years of age in terms of G.O.Ms.No. 15 Finance (HR.IV-FR AND LR) Department dt.31.01.2022 forthwith;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri B.K.Chakravarthy, Advocate for Petitioner and GP for Home for Respondent Nos.1 to 5, directed issue of notice to the Respondents herein to show cause as to why this WP should not be admitted;

You viz:

1. The Principal Secretary, State of Andhra Pradesh, Home Affairs, Secretariat, Velagapudi, Guntur, A.P-522237
2. The Director General of Police, Government of Andhra Pradesh, Mangalagiri, Guntur, A. P-522503
3. The Commissioner of Police, Police Barracks in Suryabagh, Visakhapatnam, Andhra Pradesh-530001.
4. The Commandant, Home Guards, Suryabagh, Visakhapatnam, Andhra Pradesh - 530020
5. The Home Guards Instructor, Reserve Inspector (RI), Visakhapatnam, Visakhapatnam District, Andhra Pradesh - 523316

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 affidavit filed therewith (copy enclosed) this WP should not be admitted;

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 writ petition, the High Court may be pleased Direct the Respondents to continue the petitioner in service as Home Guard No. HG 287 till 09.08.2028 forthwith, pending disposal of WRIT PETITION 22057 of 2026, on the file of the High Court

The Court made the following:

ORDER:

1. Notice before admission, returnable in four weeks.
2. The Writ Petition is filed questioning the action of the Respondents in seeking to retire the Petitioner from service on 09.08.2026 as per the G.O.Ms.No.15, dated 31.01.2022, as illegal and arbitrary.
3. The Petitioner is working as a Home Guard and seeks parity in the age of superannuation on par with regular government employees, as per the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) (Amendment) Act, 2022.
4. The learned Assistant Government Pleader for Services-I, on instructions, submits that as per Andhra Pradesh Police Manual Order No. 936(6), Home Guards are eligible for extension of service up to 60 years only. He further submits that the service of Home Guards is voluntary service and parity cannot be claimed on par with regular government employees.
5. Heard the learned counsel.
6. The core reason for enhancing the age of superannuation as per the Statement of Objects and Reasons of the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) (Amendment) Act, 2022, is on account of increased life span and improved health conditions. This being the core reason for enhancing the retirement age, there is no reason to deny a similar extension to the non-government employees of

the department as well. Therefore, on this ground, the retirement of the Petitioner on attaining the age of 60 years cannot be sustained.

7. Home Guards cannot be termed merely temporary or voluntary as they form the feeder category for appointment to the regular posts and a specified quota is provided for them in the recruitment of Police Constables. From this view point, they are to be considered on par with regular employees and they are entitled to the benefit of enhancement of age as per the said Act.

8. Therefore, there shall be an interim direction as under:

(i) The Respondents shall extend the services of the Petitioner until he attains the age of 62 years, pending further orders.

9. Post along with W.P.No.19584 of 2026 for filing of the counter-affidavit by the Respondents.

SD/- U.SRIDEVI
DEPUTY REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary, State of Andhra Pradesh, Home Affairs, Secretariat, Velagapudi, Guntur, A.P-522237 (by **Special Messenger**)
2. The Director General of Police, Government of Andhra Pradesh, Mangalagiri, Guntur, A. P-522503
3. The Commissioner of Police, Police Barracks in Suryabagh, Visakhapatnam, Andhra Pradesh-530001.
4. The Commandant, Home Guards, Suryabagh, Visakhapatnam, Andhra Pradesh - 530020
5. The Home Guards Instructor, Reserve Inspector (RI), Visakhapatnam, Visakhapatnam District, Andhra Pradesh – 523316 (Addressee Nos.2 to 5 by **Speed Post**- along with a copy of petition and affidavit)

6. One CC to Sri. B.K.Chakravarthy, Advocate [OPUC]
7. Two CCs to GP for Home, High Court of Andhra Pradesh [OUT]
8. One spare copy



HIGH COURT

VN,J

DATED:05/08/2026

**POST ALONG WITH W.P.No.19584 OF 2026 FOR FILING OF THE COUNTER
AFFIDAVIT BY THE RESPONDENTS**

NOTICE BEFORE ADMISSION

WP NO. 22057 OF 2026

DIRECTION

