

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

WEDNESDAY, THE 8th DAY OF JULY, 2026

:PRESENT:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 21898 OF 2025

Between:

Between:

1. Konda Madhuri, W/o. Gangapatnam Mohan (Spouse Teacher),
Aged 58 years, School Assistant (English),
ZP High School, Ramapuram village,
Tada Mandal, Tirupati District
R/o D.No. 15/69 (Upstairs), Indira Seeds Building,
Subedarpet, Nellore – 524 001. SPSR Nellore Dt.
2. Shaik Jawahar Babu, S/o Sk. Abdul Raheem,
Aged 53 years, School Assistant (English),
MPUP School, Siripuram,
Kavali Mandal, SPSR Nellore District.
3. Modiboyina Janaki Ramaiah,
S/o. Naraiah, Aged 46 years,
School Assistant (Telugu), ZP High School,
Mulapadava, Vakadu Mandal,
Tirupati District.
4. Bandela Kamala Rathnam, W/o. Undrala
Ravindra, (Spouse Teacher) Aged 58 years,
School Assistant (Physical Sciences)
TJN ZP High School Plus,
Anantha Sagaram, Anantha Sagaram Mandal,
SPSR Nellore District.
5. Kogili Radhika, W/o S. Rama Rao,
Aged 40 years, School Assistant (Physical
Sciences), ZP High School (Girls) Plus,
Sullurpet Post & Mandal, Tirupati District.
6. Suram Ramesh, S/o Hazarathaiah, (Spouse Teacher)
Aged 44 years, School Assistant (Telugu),
ZP High School, Eswaravaka, Chittampur Mandal,
SPSR Nellore District.



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7. Seni Lakshmi, W/o D. Vasudeva Kumar (Spouse Teacher),
Aged 56 years, School Assistant (Physical Science),
ZP High School, Petlur, Venkatagiri Mandal,
Tirupati District.
 8. Somisetty Sujatja, W/o V.C. Prasad (Spouse Teacher)
Aged 54 Years, School Assistant (English), M.P.U.P. School,
Veligandla Vil., Kondapuram Mandal,
SPSR Nellore District.
 9. Imidasetty Sudheer Kumar, (Spouse
K.V. Yamini), Aged 49 years, School Assistant (Eng)
MP UP School, Pathallapalli,
Ananta Sagaram Mandal, SPSR Nellore Dt.
 10. P. Naresh Kumar (Spouse), School
Assistant (PS), Govt. High School,
Aged 41 years, Udayagiri (PO) & Mandal,
SPSR Nellore Dt.
 11. N. Penchalaiah (Spouse), Aged 47 years,
School Assistant (Tel), Govt. High School,
Rapur, Rapur Mandal, SPSR Nellore Dt.
 12. K.V. Ramaiah, S/o Venkata Subbaiah,
Aged 44 years, School Assistant (Social),
Govt. High School, Sullurpet, Sullurpet Mandal,
Tirupati Dt.
 13. Kommala Krishnaiah, Aged years,
School Assistant (Eng), ZP Hig School,
Pudiparthi, Venkatachalam Mandal,
SPSR Nellore Dt.
 14. P G D Krupaúl, (Spouse) K. Chandra Leela,
Aged 59 years, School Assistant (Eng)
ZP High School, Rosanur Rajupalem,
Pellakur Mandal, Tirupati Dt.
 15. Kandra Annapurna (Spouse), W/o P. Subrahmanyam,
(Head Constable, Nellore Town)
Aged 54 years, School Assistant (Mathematics),
ZP High School, Aruru, Chittamur Mandal,
Tirupati District.

16. V. Joel Kumar, (Spouse P. Latha Prasuna, Bank of Baroda, Nellore), Aged 57 years, School Assistant (Mathematics), ZP High School, Appa Samudram, Udayagiri Mandal, SPSR Nellore District.
17. Kotakonda Ankamma, W/o V. Venkata Rathnam, (Spouse Teacher), Aged 51 years, School Assistant (Mathematics), ZP High School, S.R. Puram Post & Mandal, SPSR Nellore Dt.
18. Polamraju Rajyalakshmi, (Spouse Teacher) W/o G. Mallikarjuna Rao, School Assistant (Maths), Aged 47 Years, Govt. High School, Udayagiri, Udayagiri Mandal, SPSR Nellore Dt.
19. Dhanyasi Linga Raju, S/o Bala Kotaiah, Aged 44 years, School Assistant (Tel), ZP High School, Ramapuram, Tada Mandal, Tirupati Dt.
20. Nellore Sudha Lakshmi, W/o M. Krishna Rao Aged 59 years, School Assistant (Physical Sciences), ZP High School, Kampa Samudram, Marripadu Mandal, SPSR Nellore Dt.
21. Damavarapu Sakuntala Devi (Spouse Teacher), W/o P. Raghu Ramaiah, Aged 57 years, School Assistant (Eng), ZP High School, Ranganna Patteda, Sullurpet Mandal, SPSR Nellore Dt.
22. Ch.Venkateswara Rao, S/o Sreeramulu, Aged 59 years, School Assistant (PS), ZP High School, Sitaramapuram, S.R. Puram Mandal, SPSR Nellore Dt.
23. Nukamreddy Prasanna (Spouse Teacher), W/o Y. Hari Krishna, Aged 42 years, School Assistant (Tel), ZP High School, Ranganna Patteda, Sullurpet Mandal, Tirupati Dt.
24. S. Siva Prasad, S/o Kanjakshaiah, Aged 44 years, School Assistant (Eng) ZP High School, Vavilla, Vidavalur Mandal, SPSR Nellore Dt.

25. Erla Saibabu, S/o Ankaiah, Aged 45 years, School Assistant (PS), ZP High School, Bijjampalli, Udayagiri (M) SPSR Nellore Dt.

Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, School Education Department Secretariat Building, Block- IV, Velagapudi, Amaravathi, Guntur District.
2. The Director, School Education, Govt, of Andhra Pradesh, Plot No. 398/3, Venkatadri Towers, Atmakur Village, Mangalagiri Nandal, Guntur Dt.
3. The Regional Joint Director, School Education, Govt, of Andhra Pradesh, O/o. DEO, Guntur - 522002. Guntur Dt.
4. The District Educational Officer Member Secretary, O/o. DEO, Dargamitta, Nellore - 524 003, SPSR Nellore District

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 a writ, order or direction more particularly one in the nature of Writ of Mandamus

- a) declaring the action of the 2nd respondent in issuing proceedings Memo NO.ESE02-14021/5/2025-E-VI dated 22.05.2025 after completing the schedule of transfers for the purpose of filling of the cluster vacancies directing there under, that the cluster vacancies shall be allotted to junior most teachers among those who have applied for transfers and to declare the same as illegal Arbitrary and contrary to Andhra Pradesh State teachers Transfers Regulation Act 2025 (Act 9 of 2025) And rules made there under In GO MS Np. 22(SE-Ser.- II)Detp, Dated 20-5-2025 and violative of Article 14 of the Constitution of India and consequently, set-a-side the same by issuing further directions to appoint and post the petitioners herein In

terms of their seniority as well as entitlement points secured by them duly declaring posting junior most teachers under the guise of the above referred Memo being violative of Article 14 of the Constitution of India and ultra- vires to the Act and Rules Referred above and pass such other order or orders as this Honble Court may deem fit and proper In the circumstances of the case,

- b) declare action of the of the 4th respondent in issuing proceedings Rc.No.2147/A4/2025-1 .dated 17.06.2025 without following the seniority and consequent Memo issued by the 2nd respondent vide No. 14021/5/2025-E-VI dated 22.05.2025 & the 3rd respondents Rc.No.ESE02/994 /2025-B SEC-RJD-GNT, dated 31.07.2025 wherein issued the speaking order without any proper reason is illegal, arbitrary, unjust, contrary to the Rules framed by the 1st respondent vide G.O.Ms- No. 22 School Education (Services II) Dept, dated 20-05-2025 and violation of Articles 14 & 16 of the Constitution of India and consequently set aside the same by directing the respondents for re-posing at nearby places available on retirement and other nearby vacancies;

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 to direct all the respondents to relief the appeal dated 11-07-2025 made by the petitioners as interim relief for reposting at nearby places which available due to retirement/clear cluster and other nearby vacancies in the same District due to retirement on 31-12-2025, Pending disposal of WP 21898 of 2025, 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 SRIMAN Advocate for the Petitioner and of GP for School Education for Respondent Nos.1 to 4 and the Court made the following.

ORDER

The present writ petition is filed questioning the action of the 2nd respondent in issuing Memo No.WAW02-14021/5/2025-E-VI, dated 22.05.2025, after completion of the transfer schedule, for the purpose of filling of the cluster vacancies, as illegal, arbitrary and contrary to the Andhra Pradesh State Teachers Transfers Regulation Act, 2025 (Act 9 of 2025).

The petitioners are working as Teachers in various schools in Tirupati and Nellore Districts. While so, in the general transfers conducted in May 2025 in terms of Andhra Pradesh State Teachers Transfers Regulation Act, 2025, the petitioners had opted for posting in certain places as provided to them in the website. After completion of the counselling process, the impugned letter dated 22.05.2025 was issued to fill up cluster vacancies, which had not been notified in the counselling process. It is in that context, the present writ petition is filed. He further submits that the petitioners are senior Teachers and that if the cluster vacancies were notified before, the petitioners would have opted for the same as there are vacancies nearer to their families. The subsequent decision of the respondents to fill the cluster vacancies after completion of the counselling process, without notifying such vacancies during the transfer schedule, is contrary to the Act.

Sri E. Sambasiva Pratap, learned Additional Advocate General, would submit that the cluster vacancies are only short-term vacancies and the individuals would be called to teach in schools where there are vacancies on a particular day and that there is no standard school offered to the petitioners. It is also stated that these vacancies are meant for fresh recruits and not for regular, long-standing teachers.

This case was heard on quite a few occasions. Today, it is informed to this Court that nine petitioners have been accommodated in cluster vacancies and one of the individuals was further promoted and is no longer interested in proceeding with the matter. In that context, as it

is stated that there are cluster vacancies available in and around the places where the families of the petitioners reside, it would be appropriate to pass the following order:

- (i) The respondents shall consider the cases of the remaining petitioners for posting in cluster vacancies forthwith. However, such posting in cluster vacancies shall be subject to the condition that the writ petitioners participate in the regular counselling process as and when it is held. ✓
- (ii) The respondents shall notify all the vacancies, including cluster vacancies, in the next counselling so as to enable the individuals to choose their place of posting.

List this matter on 05.08.2026. ✓

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SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, School Education Department Secretariat Building, Block- IV, Velagapudi, Amaravathi; Guntur District. (by **Special Messenger**)
2. The Director, School Education, Govt, of Andhra Pradesh, Plot No. 398/3, Venkatadri Towers, Atmakur Village, Mangalagiri Nandal, Guntur Dt.
3. The Regional Joint Director, School Education, Govt, of Andhra Pradesh, O/o. DEO, Guntur - 522002. Guntur Dt.
4. The District Educational Officer Member Secretary, O/o. DEO, Dargamitta, Nellore - 524 003, SPSR Nellore District .(addressee 2 to 4 by **RPAD**)
5. One CC to SRI. SRIMAN Advocate [OPUC]

6. Two CCs to GP FOR SCHOOL EDUCATION, High Court Of Andhra Pradesh. [OUT]
7. One spare copy.

HIGH COURT

VN,J

DATED:08/07/2026

LIST THIS MATTER ON 05.08.2026

ORDER

WP.No.21898 of 2025

DIRECTION

