

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

**THURSDAY, THE ELEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 24117 OF 2025



Between:

R.V.Subbarao, S/o. Venkateswarlu, Age 55 years, Occ: Senior Assistant, O/o.
District Education Office, Bapatla, Guntur district.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, School Education Department, Secretariat, Amaravati, Andhra Pradesh.
2. The Commissioner of School Education, Mangaigiri, Amravati, Andhra Pradesh.
3. The Regional Joint Director, School Education, Guntur, Guntur District, Andhra Pradesh.
4. The District Educational Officer, Bapatla, District Bapatla, Andhra Pradesh.

...Respondent

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 may be please to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus by declaring the action of the Respondent in not considering petitioner's case for promotion to the post of Office Superintendent by taking into consideration petitioner's date of promotion as Senior Assistant i.e., w.e.f. 09-06-2013, as absolutely illegal, arbitrary and unconstitutional, violative of Article 14, 16 and 21 of Constitution of India and consequently direct the Respondent to consider petitioner's case for promotion to the post of Office Superintendent in terms of Rule 33 of A.P.

State and Subordinate Service Rules from the date of petitioner's appointment/promotion as Senior Assistant i.e., w.e.f. 09-06-2013, with all consequential benefits, including seniority and all other service benefits in the interest of justice.

IA NO: 1 OF 2025

Petition under Section 151 CPC is filed 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 petitioner's case for promotion to the post of Office Superintendent by taking into consideration petitioner's date of promotion as Senior Assistant i.e., w.e.f. 09-06-2013 or in the alternate direct the respondent not to fill up one post of Office Superintendent, Pending disposal of WP. 24117 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 AVADESH NARAYAN SANGHI 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 respondents in not considering the case of the Petitioner for promotion to the post of Office Superintendent by taking into consideration his date of appointment as Senior Assistant with effect from 09.06.2013, as illegal and arbitrary.

Sri Pratap Narayan Sanghi, learned Senior Counsel representing Sri Avadesh Narayan Sanghi, learned counsel for the Petitioner would submit that the Petitioner was initially appointed as Junior Assistant on compassionate grounds and was subsequently promoted as Senior Assistant and is now aspiring for promotion to the post of Office Superintendent. He would further submit that the Petitioner has requisite qualifications for promotion to the cadre of Senior Assistant and he has

passed all the departmental tests and is entitled to be considered for effecting promotion to the post of Office Superintendent.

Learned Assistant Government Pleader would submit that there are rival claims with regard to the promotions to the said post. He would further submit that the department would examine and effect promotions as per the A.P. State and Subordinate Service Rules and further seeks time for filing counter affidavit.

In view of the submissions made, the Respondents are directed to examine the claims of the Petitioner and person similarly situated in terms of the Rules and accordingly effect promotion to the post of Office Superintendent as per the Rules.

Post on 06.11.2025."

Sd/-K.SRINIVASA RAJU

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, School Education Department, State of Andhra Pradesh, Secretariat, Amaravati, Andhra Pradesh.
2. The Commissioner of School Education, Mangaigiri, Amravati, Andhra Pradesh.
3. The Regional Joint Director, School Education, Guntur, Guntur District, Andhra Pradesh.
4. The District Educational Officer, Bapatla, District Bapatla, Andhra Pradesh. (Addressees 1 to 4 by RPAD)
5. One CC to Sri. Avadesh Narayan Sanghi, Advocate [OPUC]
6. Two CCs to GP for School Education, High Court of Andhra Pradesh. [OUT]
7. One spare copy

KN

HIGH COURT

VN,J

DATED:11/09/2025

POST ON 06.11.2025

ORDER

WP.No.24117 of 2025

DIRECTION

