



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3208]

WEDNESDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 27581/2024

Between:

J. Rathnamaiah

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. K R SRINIVAS

Counsel for the Respondent(S):

1. GP FOR SERVICES I

The Court made the following:

ORDER:

1. This Court has passed the following order on 28.01.2026:

“This writ petition is filed seeking the following relief:

“may be pleased to issue a Writ or Order more in the nature of Mandamus in declaring the action of the respondents in not releasing all the retirement benefits like full pension gratuity commutation of 40% pension from date of retirement 01.10.2017 till date encashment of surrender of earned leave 1 month during the period of suspension 2016-17 (30 days) payment of medical allowance payment of pending DRs payment of TA and DA as per Rule 82 of APTA Rules

regularization of suspension period from 10. 06.2016 to 30.09.2017 as well as increment for the suspension period followed by reinstatement interim relief of 27% on the basic pension as well as the legal expenses incurred by the petitioner as the disciplinary proceedings against the petitioner stands automatically quashed as per the final orders in W.P.No.30571 of 2023 dated 11.01.2024 as illegal arbitrary unconstitutional violative of principles of natural justice and consequentially direct the respondents to pay all the retirement benefits like full pension gratuity commutation of 40% pension from date of retirement 01.10.2017 till date encashment of surrender of earned leave 1 month during the period of suspension 2016-17 (30 days) payment of medical allowance payment of pending DRs payment of TA and DAAs per Rule 82 of APIA Rules regularization of suspension period from 10.06.2016 to 30.09.2017 as well as increment for the suspension period followed by reinstatement interim relief of 27% on the basic pension as well as the legal expenses incurred by the petitioner as the disciplinary proceedings against the petitioner stands automatically quashed as per the final orders in W.P.No.30571/2023 dated 11.01.2024 with 15% interest by fixing a time limit as the disciplinary proceedings against the petitioner stood automatically quashed as per the final orders in W.P.No.30571/2023 dated 11.01.2024 and pass”.

Learned counsel for the petitioner has brought to the notice of this Court that the order passed by this Court in the writ petition No.30571 of 2023, wherein the operative portion reads as follows:

“9. In view of these observations, this Court deems it appropriate to dispose of the present Writ Petition with a direction to the Respondent Authorities, more particularly the Respondent No.5, to complete the disciplinary proceedings and submit a Report to the Competent Authority within nine (9) months from the date of uploading of this Order on the website of this Court. There shall be a further direction to the Respondent Authorities to furnish all incriminating material including charges to the Writ Petitioner within four weeks from the date of uploading of this Order on the website of this Court. If the disciplinary proceedings are not completed within nine (9) months as indicate above, the disciplinary proceedings against the Writ Petitioner shall stand automatically quashed. Needless to state, that the disciplinary authority shall follow the Principles of Natural Justice during the enquiry process. It is made clear that this Court has not expressed anything on the merits of the case”.

Despite the above said direction, the respondents have not concluded the proceedings within the stipulated time and now, the

respondents have not released any pensionary benefits. Hence, the writ petition. The writ petition is filed in the year 2024. However, the respondents have not filed any counter.

Learned Government Pleader requested time to get instructions in this matter.

Considering the request made by the learned Government Pleader, list the matter after two (2) weeks, for getting written instructions, if he fails to get instructions by the next date of hearing, the respondent Nos.1 to 3 are directed to appear before this Court along with records.”

2. In compliance to the above orders, the learned Government Pleader appearing on behalf of the respondents, has placed instructions in CCLA's Lr.No.Pen.II/213/2018-1738637-III, dated 10.02.2026. According to the said instructions, the Government has issued proceedings on 10.02.2026 by dropping the further action against the petitioner; with a further direction to take necessary steps to release of all the retirement benefits as per rules. Accordingly, the proceedings in CCLA's have also been communicated to the Accountant General vide letter dated 10.02.2026 to release the full pension and retirement benefits to the petitioner.

3. Considering the above submissions, the writ petition is disposed of directing the respondents to release all the retirement and the pensionary benefits within a reasonable time not later than three months from the date of order. No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

D. RAMESH,J

Date:11.02.2026

Gk.

THE HON'BLE SRI JUSTICE D. RAMESH

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Date:11.02.2026

Gk