



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

**MONDAY, THE SEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY TWO**

:PRESENT:

**THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA
WRIT PETITION NO: 35940 OF 2022**

Between:

1. Pandula Gowreeswari, D/o. PandulaGumpaswamy, aged 44 years, Occ. Record Assistant, A.P.T.W.R. School (G), Kurupam, Vizianagaram, R/o 2-45 Official Colony, Dulikeswara Temple, KurupamMandal, Vizianagaram District.
2. Kondagorri Salamma, D/o Thirupathi, aged 45 years, Occ. Attender in A.P.T.W.U.R.J.C(G), Kurupam, Vizianagaram, R/o G.L.Puram, Regidi, Vizianagaram District.
3. Bommali Srinivasa Rao, S/o Jogayya, aged 43 years, Occ. Lab-Assistant in APTWR School of Excellence, Jogimpeta, Parvathipuram, R/o B.C.S.C. Colony, Balagudaba, Vizianagaram District.

Petitioners

AND

1. The State of Andhra Pradesh, rep., by its Principal Secretary, Department of Tribal Welfare, A.P. secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Andhra Pradesh Tribal Welfare Residential Educational Institutions Society, (Gurukulam), rep by its Secretary, Tadepally, Guntur District.
3. The Principal, Andhra Pradesh Tribal Welfare Upper Residential Junior College(G), Kurupam, Vizianagaram District.
4. The Principal, Andhra Pradesh Tribal Welfare Residential School of Excellence, Jogimpeta, Parvathipuram, Vizianagaram District.

Respondents

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 in the nature of Mandamus declaring the action of the respondents not considering Regularisation of the Petitioners services as per the Judgment of the Hon'ble Supreme Court in a case of State of Punjab and others Vs. Jagjit Singh and others, as per UmaDevi's Judgment of Apex Court is illegal, arbitrary, contrary to the Judgments of Apex Court in Umadevi's Judgment and also violation of Principle of Natural Justice and also violation fundamental Rights of Constitution of India and consequently direct the Respondents to consider the cases Petitioners for Regularisation their Services from the date their initial appointments in respective posts as they completing more than 13 to 14 years of service in their respective posts in view of the 2nd respondent addressed the Government Lr.Rc.No. B3/1444/2008, dated 04-03-2016 the same is pending consideration before 1st respondent by directing the respondents to considering Minimum Time Scale to the petitioners.

IA NO: 1 OF 2022

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 extend the Minimum Time Scale in

terms of the Judgment of the Hon'ble Supreme Court in State of Punjab and Others Vs. Jagjit Singh and others (2017 (1) SCC 148), this Hon'ble Court granted Interim Orders dated 27-07-2022 in W.P.No.7546/2022, W.P. No. 23742 of 2018 attached to the regular post in which the petitioners are working, on par with Proceedings R.C. No. APTWRE-11060/5/2019- ADMIN-APTWREIS, dated 22-09-2021, par with Proceedings R.C. No. APTWRE-11060/5/2021-B2, dated 11-02-2022, R.C. No. B3/Suits/W.P. 23743-2018/2018, dated 28-03-2019, Pending disposal of WP 35940 of 2022, 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 G SIMHADRI Advocate for the Petitioners, GP for Tribal Welfare for the Respondent No.1, Sri Nooka Jagannadham, learned Standing Counsel for the respondent Nos.2 to 4 and the Court made the following

ORDER

"Having regard to the principle laid down by the Supreme Court, the respondents are directed to examine whether the petitioners are discharging same duties and responsibilities attached to the post of Record Assistant, Attender and Lab Assistant respectively and qualified to hold the regular post and if these two parameters are satisfied to grant minimum time scale of pay. This exercise shall be completed within four weeks.

Registry is directed to print the name of Mr. Nooka Jagannadham, learned Standing Counsel for the respondents.

For filing counter by the respondents, post on 08.12.2022."

**SD/-B.CHITTI JOSEPH
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Department of Tribal Welfare, State of Andhra Pradesh, A.P. secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Secretary , Andhra Pradesh Tribal Welfare Residential Educational Institutions Society, (Gurukulam), Tadepally, Guntur District.
3. The Principal, Andhra Pradesh Tribal Welfare Upper Residential Junior College(G), Kurupam, Vizianagaram District.
4. The Principal, Andhra Pradesh Tribal Welfare Residential School of Excellence, Jogimpeta, Parvathipuram, Vizianagaram District.(1 to 4 by RPAD)
5. One CC to SRI. G SIMHADRI Advocate [OPUC]
6. One CC Sri Nooka Jagannadham, Standing Counsel [OPUC]
7. Two CCs to GP for Tribal Welfare, High Court of AP[OUT]
8. One spare copy

HIGH COURT

NVJ

DATED:07/11/2022

NOTE: FOR FILING COUNTER BY THE RESPONDENTS, POST ON 08.12.2022

ORDER

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DIRECTION

