

APHC010646182025



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

[3208]

THURSDAY, THE SEVENTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 33370/2025

Between:

1.DR. A. PREMALATHA, , MDS W/O M. BARADWAJA VENKATA RATNAM, AGED 46 YEARS, ASSISTANT PROFESSOR, DEPARTMENT OF PROSTHODONTICS, CROWN AND BRIDGE, GOVERNMENT DENTAL COLLEGE AND HOSPITAL, VIJAYAWADA, R/O 59A-8/12-6, FLAT NO.504, ARUNA ENCLAVE, SRI VASAVI NAGAR, ROAD NO. 10, PATARNATA, VIJAYAWADA, N.T.R. DISTRICT - 520010.

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP. BY ITS SECRETARY, HEALTH, MEDICAL AND FAMILY WELFARE DEPARTMENT A.P. SECRETARIAT BUILDING, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
- 2.THE DIRECTOR OF MEDICAL EDUCATION, GOVERNMENT OF ANDHRA PRADESH, HANUMANPET, NEAR THE OLD GOVERNMENT GENERAL HOSPITAL VIJAYAWADA, N.T.R. DISTRICT.
- 3.THE PRINCIPAL, GOVERNMENT DENTAL COLLEGE AND HOSPITAL, VIJAYAWADA - 520008.

4.DR A ROJA ROSHAN MDS, ASSISTANT PROFESSOR,
GOVERNMENT DENTAL COLLEGE AND HOSPITAL
VIJAYAWADA, N.T.R. DISTRICT.

...RESPONDENT(S):

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 an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the Speaking Orders vide C.No.2979892- 1/E11.D/2025, Dt.07.11.2025, C.NO.2979892-8/E11.D/ 2025 Dt.21.11.2025 and consequential seniority list vide C.No.2979892- 8/E11.D/2025 Dt.21.11.2025 issued by the 2nd respondent as illegal, arbitrary and violative of Articles 14, 16 and 21 of Constitution of India and further declare that the petitioner is entitled to be placed above the 4th respondent and pass

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 suspend the Speaking Orders vide C.No.2979892-1/E11.D/2025, Dt.07.11.2025, C.NO.2979892-8/E11.D/ 2025, Dt.21.11.2025 and seniority list vide C.No.2979892-8/E11 .D/2025 Dt.21.11.2025 issued by the 2nd respondent, pending disposal of the writ petition and pass

IA NO: 1 OF 2026

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 May be pleased to vacate the interim order dated 01.12.2025 in W.P.No.33370 of 2025 and to dismiss the Writ Petition as it lacks merit and is accordingly liable to be dismissed.

IA NO: 2 OF 2026

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 may be pleased to vacate the interim orders dated 01-12-2025 in WP.No.33370 of 2025 and dismiss the writ petition against the respondents in the interest of justice to pass appropriate orders

Counsel for the Petitioner:

1.MANOJ KUMAR BETHAPUDI

Counsel for the Respondent(S):

1.M SRIKANTH

2.GP FOR SERVICES I

WRIT PETITION NO: 33371/2025

Between:

1.R TEJA SREE RATHOD, MDS W/O B. MALLIKARJUN, AGED 37 YEARS, ASSISTANT PROFESSOR, DEPARTMENT OF CONSERVATIVE DENTISTRY AND ENDODONTICS, GOVERNMENT DENTAL COLLEGE, VIJAYAWADA, R/O FLAT NO.S301, SREE SARANAM APARTMENTS, N.T.R. COLONY, ROAD NO.4, OPP. GOVERNMENT DENTAL COLLEGE AND HOSPITAL, VIJAYAWADA, N.T.R. DISTRICT.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS SECRETARY, HEALTH, MEDICAL AND FAMILY WELFARE DEPARTMENT A.P. SECRETARIAT BUILDING, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.

2.THE DIRECTOR OF MEDICAL EDUCATION, GOVERNMENT OF ANDHRA PRADESH, HANUMANPET, NEAR THE OLD GOVERNMENT GENERAL HOSPITAL VIJAYAWADA, N.T.R. DISTRICT.

3.THE PRINCIPAL, GOVERNMENT DENTAL COLLEGE AND

HOSPITAL VIJAYAWADA, N.T.R. DISTRICT.

4.DR G DURGA BHAVANI, MDS, ASSISTANT PROFESSOR,
GOVERNMENT DENTAL COLLEGE AND HOSPITAL, KADAPA,
KADAPA DISTRICT.

...RESPONDENT(S):

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 an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the Speaking Order C.No.2979892-1/E11.D/2025, Dt.21.11.2025 and consequential seniority list vide C.No.2979892-1/E11.D/2025 Dt.21.11.2025 issued by the 2nd respondent as illegal, arbitrary and violative of Articles 14, 16 and 21 of Constitution of India and further declare that the 4th respondent is entitled to be placed below the petitioner and pass

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 suspend the Speaking Order C.No.2979892-1/E11.D/2025, Dt.21.11.2025 and consequential seniority list vide C.No.2979892-1/E11.D/2025 Dt.21.11.2025 issued by the 2nd respondent, pending disposal of the writ petition and pass

IA NO: 1 OF 2026

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 may be pleased to vacate the interim order dated 01.12.2025 in W.P.No.33371 of 2025 and to dismiss the Writ Petition as it lacks merit and is accordingly liable to be dismissed.

IA NO: 2 OF 2026

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 May be pleased to vacate the interim orders dated

01.12.2025 in WP.No.33371 of 2025 and dismiss the writ petition against the respondents in the interest of justice to pass

Counsel for the Petitioner:

1.MANOJ KUMAR BETHAPUDI

Counsel for the Respondent(S):

1.M SRIKANTH

2.GP FOR SERVICES I

WRIT PETITION NO: 33373/2025

Between:

1.DR. CH. BALAKRISHNA MANOHAR, MDS,, AGED 41 YEARS,
S/O CH. SATYANARAYANA MURTHY, ASSISTANT
PROFESSOR, DEPARTMENT OF ORAL AND MAXILLO FACIAL
SURGERY, GOVERNMENT DENTAL COLLEGE, VIJAYAWADA,
R/O 26-17-11, CHAITANYA NAGAR, CHINAGANTYADA, NEAR
R.K. HOSPITAL, GAJUWAKA, VISAKHAPATNAM.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS SECRETARY,
HEALTH, MEDICAL AND FAMILY WELFARE DEPARTMENT,
A.P. SECRETARIAT BUILDING, VELAGAPUDI, AMARAVATI,
GUNTUR DISTRICT.

2.THE DIRECTOR OF MEDICAL EDUCATION, GOVERNMENT OF
ANDHRA PRADESH, HANUMANPET, NEAR THE OLD
GOVERNMENT GENERAL HOSPITAL VIJAYAWADA,N.T.R.
DISTRICT.

3.THE PRINCIPAL, GOVERNMENT DENTAL COLLEGE AND
HOSPITAL, VIJAYAWADA, N.T.R. DISTRICT.

4.DR G CHAITANYA MDS, ASSISTANT PROFESSOR,
GOVERNMENT DENTAL COLLEGE AND HOSPITAL
VIJAYAWADA, N.T.R. DISTRICT.

...RESPONDENT(S):

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 an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the Speaking Order C.No.2979892-2/E11.D/2025, Dt.21.11.2025 and consequential seniority list vide C.No.2979892-2/E11.D/2025 Dt.21.11.2025 issued by the 2nd respondent as illegal, arbitrary and violative of Articles 14, 16 and 21 of Constitution of India and further declare that the petitioner is entitled to be placed above the 4th respondent and pass such

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 may be pleased to suspend the Speaking Order C.No.2979892-2/E11.D/2025, Dt.21.11.2025 and consequential seniority list vide C.No.2979892-2/E11.D/2025 Dt.21.11.2025 issued by the 2nd respondent, pending disposal of the writ petition and pass such

IA NO: 1 OF 2026

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 may be pleased to vacate the interim orders dated 01-12-2025 in WP.No.33373 of 2025 and dismiss the writ petition against the respondents in the interest of justice to pass

Counsel for the Petitioner:

1.MANOJ KUMAR BETHAPUDI

Counsel for the Respondent(S):

1.GP FOR SERVICES I

The Court made the following:

COMMON ORDER:**W.P.No. 33370 of 2025:**

The writ petition is filed seeking the following relief:

“....to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the Speaking Orders vide C.No.2979892-1/E11.D/2025, Dt.07.11.2025, C.NO.2979892-8/E11.D/ 2025 Dt.21.11.2025 and consequential seniority list vide C.No.2979892-8/E11.D/2025 Dt.21.11.2025 issued by the 2nd respondent as illegal, arbitrary and violative of Articles 14, 16 and 21 of Constitution of India and further declare that the petitioner is entitled to be placed above the 4th respondent and pass....”

W.P.No.33371 of 2025:

The writ petition is filed seeking the following relief:

“.....to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the Speaking Order C.No.2979892-1/E11.D/2025, Dt.21.11.2025 and consequential seniority list vide C.No.2979892-1/E11.D/2025 Dt.21.11.2025 issued by the 2nd respondent as illegal, arbitrary and violative of Articles 14, 16 and 21 of Constitution of India and further declare that the 4th respondent is entitled to be placed below the petitioner and pass.....

W.P.No. 33373 of 2025:

The writ petition is filed seeking the following relief:

“.....to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the Speaking Order C.No.2979892-2/E11.D/2025, Dt.21.11.2025 and consequential seniority list vide C.No.2979892-2/E11.D/2025 Dt.21.11.2025 issued by the 2nd respondent as illegal, arbitrary and violative of Articles 14, 16 and 21 of Constitution of India and further declare that the petitioner is entitled to be placed above the 4th respondent and pass such.....

Heard Sri M.Vijay Kumar, learned senior counsel for the petitioner/s, learned Government Pleader for Services-I for official respondents and Sri M.Srikanth, learned counsel for the unofficial respondent/s.

The issue involved in all the Writ Petitions is one and the same and hence all the Writ Petitions are being disposed of with a common order by taking W.P.No.33370 of 2025 as a leading case.

2. The petitioner is a post graduate in Dental Surgery (MDS) pursuant to notification for direct recruitment of Assistant Professors-2020 by direct recruitment 442 vacancies and Assistant Professors by way of lateral entry 295 vacancies issued by Director of Medical Education. Pursuant to the said notification, the petitioner participated in the selection process and appointed as Assistant Professor on 02.9.2020. Along with the petitioner several other persons were appointed by way of direct recruitment as well as by way of lateral entry.

3. The next promotion from the post of Assistant Professor is to the post of Associate Professor. Assistant Professor is included in category-9 and the Associate Professor is included in category-7 of the Service Rules covered by A.P.Medical Education Service Rules issued in G.O.Ms.No.154 dated 04.5.2002. The post of Associate Professor (clinical) falls under category-7(a) and Associate Professor (non-clinical)

included under category-7(b) of Annexure-I of Rule 3 of the said Rules which is relevant for consideration of the present dispute which reads as follows:

“It is submitted that the next promotion from the post of Assistant Professor (category-9) is to the post of Associate Professor (category-7). The service is governed by the A.P.Medical Education Service Rules issued vide G.O.Ms.No.154 dated 04.5.2002. The petitioner and the respondent no.4 are holding the clinical posts. The post of Associate Professor (clinical) falls under category-(7a) and Associate Professor (non-clinical) under category-(7b). As per Annexure-I to Rule-3, the method of appointment for the post of Associate Professor is

- “By promotion of category-9(a) Assistant Professor clinical*
- (i) Who have put in 5 years of teaching experience in the concerned speciality based on the seniority in the category of Assistant Professor in the concerned speciality, which shall be reckoned from the date of appointment of an individual to that category*
 - (ii) Minimum of two (02) research publications indexed/national Journals”*

Admittedly the petitioner as well as unofficial respondent no.4 both are eligible and qualified for the said post in terms of Rules.

4. Respondent no.4 was appointed as Assistant Professor of Prosthodontics in Government Dental College and Hospital, Vijayawada vide proceedings dated 28.8.2020 and the petitioner was appointed as Assistant Professor of Prosthodontics, Government Dental College and Hospital, Vijayawada on 02.9.2020. Both selections were made pursuant to the notification for direct recruitment and lateral entry of Assistant Professors-2020. Respondent no.2 has prepared and issued provisional seniority list on 25.9.2025 of Assistant Professors separately for

respective specialities and called for objections from the affected persons. Out of five persons in the said speciality, the name of the petitioner was shown at serial no.2 showing the date of appointment as 02.9.2020 whereas respondent no.4 was shown at serial no.1 by showing the date of appointment as 28.8.2020. Pursuant to the above said provisional seniority list, the petitioner has submitted her objections immediately. But after merely a month, the petitioner has received orders from respondent no.2 rejecting the objections of the petitioner vide proceedings dated 07.11.2025 and finalized the seniority list on 21.11.2025. Aggrieved by the same, the present Writ Petition is filed.

5. Based on the above averments, this Court has passed an interim order on 01.12.2025 suspending the impugned proceedings.

6. After notice, respondent no.2 has filed counter. For the post of Assistant Professor (dental speciality) are covered by the rules issued in G.O.Ms.No.415 dated 18.8.1994. As per the above said rules, the post of Assistant Professor (dental) the method of appointment is *i) by transfer or qualified Dental Assistant Surgeon ii) If no qualified person is available by the method specified in terms (i) by direct recruitment*. A notification was issued for direct recruitment of Assistant Professors and various specialities including dental speciality on 2020 for filling up of 442 vacant posts by direct recruitment and 292 vacant posts by lateral entry. As per

the above said notification, the petitioner was appointed as Assistant Professor of Prosthodontics at Government Dental College and Hospital, Vijayawada by direct recruitment on 02.9.2020 without senior residency and joined as Assistant Professor on 04.9.2020 and as far as respondent no.4 is concerned was appointed at Government Dental College and Hospital, Vijayawada by lateral entry on 28.8.2020 and joined in the said post on 04.9.2020.

7. The rules issued in G.O.Ms.No.154 dated 04.5.2022 are applicable to the clinical and non-clinical specialities in Government Medical Colleges only but not Government Dental Colleges and Hospital whereas dental specialities like public health dentistry, Prosthodontics and conservative dentistry and Endodontics, oral and maxilla facial surgery are available. The dental specialities in the dental colleges are following the Dental Counsel of India norms and also as per G.O.Ms.No.415 dated 18.8.1994. Accordingly, the Assistant Professors in dental specialities in the dental colleges concerned, the speciality without senior residency is not mentioned in G.O.Ms.No.415. The senior residency is applicable only to the clinical specialities as per G.O.Ms.No.67. Accordingly, a panel was prepared for the panel year 2025-26 and accordingly a provisional seniority list has been prepared and the same was communicates through proceedings dated 25.9.2024.

8. As per the guidelines issued by Medical Council of India, New Delhi, the Government has framed certain service rules for Government Medical Colleges called A.P.Medical Education Service Rules vide G.O.Ms.No.154 dated 04.5.2002 and amended from time to time vide G.O.Ms.No.67 dated 16.6.2020.

9. It is further stated that as per State and Subordinate Service Rules 1996, Rule-33(a), the seniority of a person in as service, class, category or grade shall, unless he has reduced to a lower rank as a punishment, be determined by the date of his first appointment to such service, class, category or grade. Hence respondent no.4 is appointed as Assistant Professor of Prosthodontics, GDCH, Vijayawada on 28.8.2020 by lateral entry and the petitioner has been appointed on 02.9.2020. Hence the seniority is fixed in accordance with the date of appointment/merit under Rule 33 of A.P.State and Subordinate Service Rules 1996. Accordingly, respondent no.4 is placed at serial no.1 and the petitioner was placed at serial no.2.

10. After notice, respondent no.4 has also filed counter. As per the counter, the seniority is to be determined by the date of appointment as per Rule 14 of the A.P.Medical Education Service Rules issued in G.O.Ms.No.154, dated 04.5.2002. Further G.O.Ms.No.32, dated 02.02.2010 which reiterates the seniority shall be reckoned from the date

of appointment of an individual in that category. Further they also relied on the A.P.State and Subordinate Service Rules Rule 33(a) and further stated that the rules issued in G.O.Ms.No.154 dated 04.5.2002 as amended by G.O.Ms.No.67 dated 16.6.2020 are not applicable and same is mis-conceived. Lateral entry and direct recruitment constitute a separate and distinct methods of appointment governed by separate selection criteria and procedure. Hence the seniority can be determined only with reference to the date of appointment to the said post. Accordingly as respondent no.4 was appointed prior to the petitioner, hence the seniority has to be counted from the date of appointment as per the observations made by the Hon'ble Apex Court in various judgments.

11. Based on the above averments, learned senior counsel M.Vijay Kumar appearing on behalf of the petitioner has mainly relied on the notification issued by the respondents for filling up the post of Assistant Professor-2020. In the said notification, the selection process was described as follows:

"The selection is as per G.O.Ms.No.154 HM & FW (A2) Dept. 04.5.2002, Letter Dated 24.8.2010 of the Registrar, Dr. NTR UHS, Vijayawada, G.O.Ms.No.109 HM & FW (A2) Dept. Dt.23.6.2014, Govt. Memo No.4298/A1/2015 HM&FW (A2) Dept. dated 22.4.2015 G.O.Ms.No.60 HM&FW (A1) Dept. dated 10.6.2020 and G.O.Ms.No.61 HM&FW (A1) Dept. dated 10.6.2020, G.O.Ms.No.66 HM& FW (A1) Dept.

dated 16.6.2020, and G.O.Ms.No.67 HM&FW(A1) Dept. dated 16.6.2020.”

As per G.O.Ms.No.154 HM&FW (A2) Dept. dated 04.5.2002 and also referred G.O.Ms.No.67 dated 16.6.2020. Hence it is not in dispute that the selections were made for the post of Assistant Professor by direct recruitment and by way of lateral entry. Undoubtedly according to the said rules, every cycle of five vacancies of Assistant Professor in each speciality, the first three vacancies shall be filled up by direct recruitment first, the next one vacancy shall be filled by qualified candidates working in category 10 of this service and the remaining one vacancy shall be filled by transfer of qualified person working in non-teaching side. As per the said note three for direct recruitment and one for qualified person working in category-10. Category-10 the civil assistant surgeons including and civil assistant surgeons RMOs. Further he placed reliance on G.O.Ms.No.67 dated 16.6.2020 which is an amendment to G.O.Ms.No.154 has specifically formulated that those who are appointed by way of lateral entry who have not completed one year SR Ship/Tutor shall be posted as tutor against the post of Assistant Professor for one year and they shall be re-designated as Assistant Professor after completion of one year as tutor and they shall be placed at the bottom of the recruitment batch of that year for seniority in the cadre of Assistant Professor and their seniority shall starts from the date

of joining as Assistant Professor. Based on the above said rule, condition was imposed in the appointment later issued to respondent no.4 vide order dated 28.8.2020.

12. Learned senior counsel has specifically contended that the appointment of respondent no.4 by respondent no.2 a condition was imposed as per the rules that the seniority of the medical officer/tutor/DAs/Assistant Professor who were absorbed through these proceedings shall be placed at the bottom of Assistant Professor to be recruited by way of direct recruitment for available vacancies. When such condition was stipulated the respondent estopped to take contrary view and placing respondent no.4 above the direct recruitees. The recruitment was made based on rules issued in G.O.Ms.No.154 dated 04.5.2002 and G.O.Ms.No.67 dated 16.6.2020 and appointment of respondent no.4 is also made with a condition that his seniority should be fixed at the bottom of the Assistant Professors who are recruited by way of direct recruitment. Hence the provisional seniority as well as the final seniority list prepared dated 21.11.2025 is contrary to the special rules issued in G.O.Ms.No.154 dated 04.5.2002 and the condition imposed in appointment letter of respondent no.4. Hence the impugned seniority list may be set aside directing the respondents to follow the preparation of

seniority in the cadre of Assistant Professor Prosthodontics based on the rules and conditions of the appointment letters.

13. Reply to the said contentions, learned counsel appearing on behalf of respondent no.4 has mainly submitted that the rules issued under G.O.Ms.No.154 are not applicable to the present post. Only rules issued in G.O.Ms.No.415 dated 22.9.1994 are applicable and category-9 does not contain the post of Assistant Professor (dental). Hence the condition imposed in G.O.Ms.No.154 or G.O.Ms.No.67 to the one year senior resident is not applicable to the Assistant Professors for Prosthodontics with PG degree and has specifically stated in the counter filed by respondent no.2 i.e. Director of Medical Education that only the rules issued in G.O.Ms.No.415 dated 18.8.1994 are applicable. In the instant case and in the said rules, no such stipulation is available and hence as per the general rules issued in A.P.State and Subordinate Service Rules more specifically Rule 33(a) the respondents have rightly prepared the seniority list based on date of appointment. Accordingly, respondent no.4 is senior to the petitioner. Hence the respondents have correctly placed respondent no.4 at serial no.1 by taking the date of appointment as 28.8.2020. Whereas the petitioner was appointed on 02.9.2020 hence she was placed at serial no.2. Accordingly, requested to vacate the interim order and dismiss the writ petition.

14. Having considered the rival submissions, no doubt the respondents have issued notification for the post of Assistant Professors both by direct recruitment and by way of lateral entry. On perusal of the notification it clearly stipulated the selection process should be taken based on the rules issued in G.O.Ms.No.154 and subsequent amendment vide G.O.Ms.No.67 dated 16.6.2020. On perusal of the rules issued in G.O.Ms.No.154, clearly indicates a cycle of five posts and the amendment issued to G.O.Ms.No.154 through G.O.Ms.No.67 dated 16.6.2020 clearly stipulated one year senior resident in the concerned subject in a recognized medical college and against transfer and appointment by way of lateral entry who have not completed one year to SR ship should complete SR ship within one year after completion, they shall be placed at bottom of recruitment batch for the seniority in the cadre of Assistant Professors from the date of joining as Assistant Professors.

15. On perusal of the two special rules and also the appointment of respondent no.4, the official respondents have made appointment based on the rules issued in G.O.Ms.No.154 dated 04.5.2002 and G.O.Ms.No.67 dated 16.6.2020 and based on the above said rules specifically the respondents have made a condition in the appointment of respondent no.4 that he has to take bottom of the Assistant Professor to

be recruited by way of direct recruitment. Admittedly, respondent no.4 has not made any objection to the said condition nor questioned the said condition in any proceedings. Once, the appointment was accepted with condition and the respondents have also placed such condition both official and respondent no.4 is not entitled to claim to prepare the seniority list based on A.P.State and Subordinate Service Rules more specifically Rule 33(a) when the special rules are silent with regard to any aspect, then general rules will be applicable. But in the instant case, when the special rules provides a particular method for the seniority the respondents ought not to have relied on the general rules. Once the special rules specifically formulated a condition that the persons appointed by way of lateral entry should take bottom place of the direct recruitment list. The respondents ought not to fix the seniority based on the date of appointment. In fact in the instant case, both the petitioner as well as respondent no.4 were joined on the same date i.e. on 04.9.2020. Hence the seniority has to be fixed based on the special rules issued based on G.O.Ms.No.154 dated 04.5.2002 and G.O.Ms.No.67 dated 16.6.2020 and accordingly, this Court is of the opinion that the impugned proceedings dated 21.11.2025 is contrary to special rules issued in G.O.Ms.No.154 dated 04.5.2002 and G.O.Ms.No.67 dated 16.6.2020.

16. Accordingly the said proceedings are set aside remanding the matter to the respondents to prepare fresh seniority list after considering the objections filed by the petitioner on 29.9.2025 once again and finalize the seniority list as per rules.

17. With the above observations, all the Writ Petitions are disposed of.
No costs.

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

JUSTICE D.RAMESH

Date: 07.5.2026
RD

THE HONOURABLE SRI JUSTICE D.RAMESH

WRIT PETITION Nos.33370, 33371 and 33375 of 2025

Dated: 07.5.2026

RD