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APHC010342902025



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

[3460]

MONDAY, THE 20th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 17471/2025

Between:

1. SHAIK BABAVALI,, S/O. JOHN AHMED, AGED ABOUT 60 YEARS, OCC OFFICE SUBORDINATE, R/O. D. NO. 5-60-1/5, DEVAPURAM, LAKSHMIPURAM, GUNTUR, GUNTUR DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY PRINCIPAL SECRETARY, IRRIGATION DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.

2. THE ANDHRA PRADESH STATE IRRIGATION AND DEVELOPMENT CORPORATION APSIDC, REP. BY ITS MANAGING DIRECTOR, MARGADARSI COMPLEX, OPP. ANDHRA HOSPITAL, GOVERNERPET VIJAYAWADA

3. THE SUPERINTENDING ENGINEER, ANDHRA PRADESH STATE IRRIGATION AND DEVELOPMENT CORPORATION (APSIDC) MUTHYALA REDDY NAGAR, 6TH LANE AMARAVATHI ROAD, GUNTUR, GUNTUR DISTRICT.

4. THE EXECUTIVE ENGINEER, ANDHRA PRADESH STATE IRRIGATION AND DEVELOPMENT CORPORATION (APSIDC) BENZ CIRCLE, VIJAYAWADA, NTR DISTRICT.

5. THE DEPUTY EXECUTIVE ENGINEER, ANDHRA PRADESH STATE IRRIGATION AND DEVELOPMENT CORPORATION (APSIDC) NANDIGAMA SUB-DIVISION, NANDIGAMA, NTR

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 topleased to issue a writ. Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not extending the benefit of age of superannuation up to 62 years in terms of G.O.Ms.No.15 Finance (HR.IV- FR and LR) Department dated.31.01.2022. G.O.Ms.No.138 dated.08.08.20 17 and judgment of Hon'ble Apex Court in SLP No. 14033-14034 of 2017 dated. 05.05.2017 is highly illegal, arbitrary, unjust, improper, and in violation of principles of natural justice and in contravention of Article 14, 16 and 21 of the Constitution of India and also contrary to the Service Rules, and consequently direct the Respondents to continue the service of the Petitioner till up to age of 62 years with all consequential benefits by extending the same benefit that was extened to the employees in G.O.Ms.No.15 Finance (HR.IV-FR and LR) Department dated.31.01.2022, G.O.Ms.No.138 dated.08.08.2017 and judgment of Hon'ble Apex Court in SLP No. 14033-14034 of 2017 dated. 05.05.2017

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 pleased to direct the Respondents to continue the service of the Petitioner till up to age of 62 years with all consequential benefit by extending the same benefits that was extened to the employees in terms G.O.Ms.No.15 Finance (HR.IV-FR&LR) Department dated.31.01.2022, G.O.Ms.No.138 dated.08.08.2017 and judgment of Hon'ble Apex Court in SLP No. 14033- 14034 of 2017 dated. 05.05.2017 forthwith pending disposal of the above writ petition

Counsel for the Petitioner:

1.SHAIK MEERAVALI

Counsel for the Respondent(S):

1.GP FOR SERVICES II

2.MALLIPUDI DHANA RAJU SC for APIDC Ltd.

WRIT PETITION NO: 17859/2025**Between:**

- 1.SMT GUTTA VANI TULASI, AGE 60 YEARS, W/O. KOTHA PRABHAKARRAO, OCCUPATION WORK INSPECTOR, GR-LL, ANDHRA PRADESH HOUSING BOARD, VIJAYAWADA DIVISION, R/O.HIG 136, APHB COLONY, BHAVANIPURAM, VIJAYAWADA, ANDHRA PRADESH -520012

...PETITIONER**AND**

- 1.ANDHRA PRADESH HOUSING BOARD, DOOR NO.521, PRASADAMPADU, VIJAYAWADA REP BY ITS VICE CHAIRMAN AND HOUSING COMMISSIONER.
- 2.THE VICECHAIRMAN AND HOUSING COMMISSIONER, ANDHRA PRADESH HOUSING BOARD, DOOR NO.521, PRASADAMPADU, VIJAYAWADA.
- 3.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY DEPARTMENT OF FINANCE (HR.IV-FR LR) SECRETARIAT, VELAGAPUDI, AMARAVATI
- 4.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, URBAN HOUSING, SECRETARIAT, VELAGAPUDI, AMARAVATI.
- 5.THE EXECUTIVE ENGINEER HOUSING, ANDHRA PRADESH HOUSING BOARD, BHAVANIPURAM, VIJAYAWADA, ANDHRA PRADESH -520012.

...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 topleased to issue a writ order or direction more particularly the one in the nature of writ of Mandamus declaring the inaction on the part of respondents in enhancing the age of superannuation from 60 years to 62 years for the employees working in 2ND respondent Organisation in terms of G.O.Ms No.15 dated 31.01.2022 issued by the 1st respondent, the subsequent Memo. No. AP Ordinance 01/B6/APHB/2022 dated 27-09-2022 issued by the Respondent No.2 and the clarification given by Respondent No.3 vide Cir. Memo. NO.1813129/FIN01-HR/212/2022-HR-IV dated 23-09- 2022 which

starts with a non obstante clause which doesn't synchronize with G.O.Ms. No.15 dated 31-01-2022 or the Andhra Pradesh Ordinance No.1 of 2022 dated 31-01-2022, an ordinance which was issued to amend the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984 as arbitrary, self-contradictory and is violative of Articles 14, 16, 21 and 23 of the Constitution of India and consequently direct the respondents to enhance the age of superannuation of the petitioner from 60 years to 62 years on par with the Government employees in terms of G.O.Ms No.15 dt 31.01.2022 issued by the 1st respondent, without any break in service, with full back wages, all allowances and with all consequential benefits and to 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 retirement proceedings Proc. No.05/W.C.Estt/Retirement/EE-VJA/2025/890 Dated 11.06.2025 and direct the Respondents to continue the Petitioner in service with the same conditions of service and all attendant benefits up to 62 years on par with the other employees of the Andhra Pradesh Housing Board in the interest of justice, pending disposal of the Writ Petition and pass

Counsel for the Petitioner:

1. BALA MURALI KRISHNA P

Counsel for the Respondent(S):

1. GP FOR SERVICES I

2. Y V SRINIVASAN(SC FOR AP HOUSING BOARD)

WRIT PETITION NO: 24107/2025

Between:

1. PUTHALAPATTU VENKATAMUNI, AGE 60 YEARS, S/O.(LATE) SRI.PUTHALAPATTU VENKATASWAMY, OCCUPATION DEPUTY EXECUTIVE ENGINEER, ANDHRA PRADESH HOUSING BOARD, VIJAYAWADA DIVISION, R/O. FLAT NO.503, SRIMANI TOWERS, LAKSHMIPURAM, TIRUPATI (URBAN), CHITTOOR, ANDHRA PRADESH- PIN517 501

...PETITIONER

AND

- 1.ANDHRA PRADESH HOUSING BOARD, DOOR NO.521, PRASADAMPADU, VIJAYAWADA REP BY ITS VICE CHAIRMAN AND HOUSING COMMISSIONER, NTR DISTRICT.
- 2.THE VICECHAIRMAN AND HOUSING COMMISSIONER, , ANDHRA PRADESH HOUSING BOARD, DOOR NO.521, PRASADAMPADU, VIJAYAWADA, NTR DISTRICT.
- 3.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY DEPARTMENT OF FINANCE (HR.IV-FR AND LR) SECRETARIAT, VELAGAPUDI, AMARAVATI
- 4.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, URBAN HOUSING, SECRETARIAT, VELAGAPUDI, AMARAVATI.
- 5.THE EXECUTIVE ENGINEER HOUSING, ANDHRA PRADESH HOUSING BOARD, APHB COLONY,KALLUR PALLI, NELLORE DISTRICT, ANDHRA PRADESH -524003.
- 6.THE MANAGING DIRECTOR, ANDHRA PRADESH TOWNSHIP AND INFRASTRUCTURE DEVELOPMENT CORPORATION LIMITED (APTIDCO), 4TH FLOOR, PN BUS STAND, APTIDCO ADMINISTRATIVE BLOCK, VIJAYAWADA-520013, NTR DISTRICT, ANDHRA PRADESH

...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 topleased to issue a writ order or direction more particularly the one in the nature of writ of Mandamus declaring the inaction on the part of respondents in enhancing the age of superannuation from 60 years to 62 years for the employees working in 2ND respondent Organisation in terms of G.O.Ms No.15 dated 31.01.2022 issued by the 1st respondent, the subsequent Memo. No. AP Ordinance 01/B6/APHB/2022 dated 27-09-2022 issued by the Respondent No.2 and the clarification given by Respondent No.3 vide Cir. Memo. NO.1813129/FIN01-HR/212/2022-HR-IV dated 23-09- 2022 which starts with a non obstante clause which doesnt synchronize with G.O.Ms. No.15 dated 31-01-2022 or the Andhra Pradesh Ordinance No.1 of 2022 dated 31-01-2022, an ordinance which was issued to amend the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984 as arbitrary, self-contradictory and is violative of Articles 14, 16, 21 and 23 of the Constitution of India and consequently direct the

respondents to enhance the age of superannuation of the petitioner from 60 years to 62 years on par with the Government employees in terms of G.O.Ms No.15 dt 31.01.2022 issued by the 1st respondent, without any break in service, with full back wages, all allowances and with all consequential benefits and to 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 retirement proceedings issued vide Circular. No.10812/Estt/B5/2000/20 Dated 21.01.2025 and direct the Respondents to continue the Petitioner in service with the same conditions of service and all attendant benefits up to 62 years on par with the other employees of the Andhra Pradesh Housing Board in the interest of justice, pending disposal of the Writ Petition and pass

Counsel for the Petitioner:

1. BALA MURALI KRISHNA P

Counsel for the Respondent(S):

1. PADMAJA GADIRAJU (SC FOR APTIDCO)

2. GP FOR SERVICES I

WRIT PETITION NO: 33781/2025

Between:

1. RAYADURGAM VENKATA RAMANA, AGE 60 YEARS, S/O. SRI. RAYADURGAM AKKULAPPA, OCCUPATION WORK INSPECTOR GRADE-ILL, ANDHRA PRADESH HOUSING BOARD, KURNOOL DIVISION, R/O. D.NO. 28-6-104, A.P. HOUSING BOARD COLONY, LIG-1 404 PHASE-1, ANANTAPUR, ANANTHAPURAMU, ANDHRA PRADESH- PIN 515 001.

...PETITIONER

AND

1. ANDHRA PRADESH HOUSING BOARD, DOOR NO. 521, PRASADAMPADU, VIJAYAWADA REP BY ITS VICE CHAIRMAN AND HOUSING COMMISSIONER.

2. THE VICE CHAIRMAN AND HOUSING COMMISSIONER ANDHRA PRADESH HOUSING BOARD, DOOR NO. 521, PRASADAMPADU,

VIJAYAWADA.

- 3.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY DEPARTMENT OF FINANCE (HR.IV-FR AND LR) SECRETARIAT, VELAGAPUDI, AMARAVATI
- 4.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, URBAN HOUSING, SECRETARIAT, VELAGAPUDI, AMARAVATI.
- 5.THE EXECUTIVE ENGINEER HOUSING, ANDHRA PRADESH HOUSING BOARD, D.NO.80/131-92-2, KURNOOL, ANDHRA PRADESH-518002.

...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 a writ order or direction more particularly the one in the nature of writ of Mandamus declaring the inaction on the part of respondents in enhancing the age of superannuation from 60 years to 62 years for the employees working in 2ND respondent Organisation in terms of G.O.Ms No.15 dated 31.01.2022 issued by the 1st respondent, the subsequent Memo. No. AP Ordinance 01/B6/APHB/2022 dated 27-09-2022 issued by the Respondent No.2 and the clarification given by Respondent No.3 vide Cir. Memo. NO.1813129/FIN01-HR/212/2022-HR-IV dated 23-09-2022 which starts with a non obstante clause which doesn't synchronize with G.O.Ms. No.15 dated 31-01-2022 or the Andhra Pradesh Ordinance No.1 of 2022 dated 31-01-2022, an ordinance which was issued to amend the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984 as arbitrary, self contradictory and is violative of Articles 14, 16, 21 and 23 of the Constitution of India and consequently direct the respondents to enhance the age of superannuation of the petitioner from 60 years to 62 years on par with the Government employees in terms of G.O.Ms No.15 dt 31.01.2022 issued by the 1st respondent, without any break in service, with full back wages, all allowances and with all consequential benefits and to 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 retirement proceedings issued vide Procs. No.WC Estt/Retirement/EE(H)/APHB/KNL/2025/822 dated

21.11.2025 and direct the Respondents to continue the Petitioner in service with the same conditions of service and all attendant benefits up to 62 years on par with the other employees of the Andhra Pradesh Housing Board pending disposal of the Writ Petition and pass

Counsel for the Petitioner:

1. BALA MURALI KRISHNA P

Counsel for the Respondent(S):

GP FOR SERVICES I

Y V SRINIVASAN(SC FOR AP HOUSING BOARD)

WRIT PETITION NO: 15681/2026

Between:

1. DURU NARASIMHA MURTHY, S/O.LINGAMMA AGED ABOUT 60 YEARS, OCC CHIEF ENGINEER R/O.H.NO.15-86/B, MAIN ROAD, PADERU VISAKHAPATNAM DISTRICT, A.P.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY FINANCE DEPARTMENT (HR.IV.FR AND LR) A.P.SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, URBAN HOUSING DEPARTMENT. A.P.SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
3. THE ANDHRA PRADESH HOUSING BOARD, REP. BY ITS VICE CHAIRMAN AND HOUSING COMMISSIONER DOOR NO.521, PRASADAM PADU VIJAYAWADA, NTR DISTRICT, A.P.
4. THE VICE CHAIRMAN AND HOUSING COMMISSIONER, THE ANDHRA PRADESH HOUSING BOARD DOOR NO.521,

PRASADAM PADU VIJAYAWADA, NTR DISTRICT, A.P.

...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 action of the Respondents in not extending the age of superannuation of the petitioner from 60 to 62 years to the employees of the 3rd respondents organization by issuing the letter dt.25.02.2026 asking the petitioner to retire from service as illegal, arbitrary, unconstitutional and contrary to the Article 14, 16, 21 and 23 of Constitution of India and consequently direct the Respondents to continue the petitioner in service upto the age of 62 years by declaring the Memo No.APOrdinance 01/B6/APHB/2022, dt.27.01.2022 and Cir.Memo No.I813129/FIN01-HR/212/2022-IV, dt.23.09.2022 and to grant all service benefits without break in service, arrears etc, and to 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 to direct the respondents to continue the petitioner in service by enhancing the age of superannuation from 60 years to 62 years on par with the Government Employees in term of G.O.Ms.No.15, dt.31.01.2022 issued by the 1st respondent, pending disposal of the above writ petition and pass such

Counsel for the Petitioner:

1.GOWRI SHANKAR D

Counsel for the Respondent(S):

1.GP FOR SERVICES I

The Court made the following:

Whether the order is :

Speaking Yes/No / Reasoned Yes/No

Reportable Yes/No / Non-Reportable Yes/No

HON'BLE SRI JUSTICE NYAPATHY VIJAY
W.P.Nos.17471, 17859,24107,33781 of 2025
and 15681 of 2026

COMMON ORDER :

These Writ Petitions are filed seeking for enhancing the age of superannuation from 60 years to 62 years from the employees working in different Corporations in terms of G.O.Ms.No.15, Finance (HR.IV-FR&LR) Department, dated 31.01.2022 issued by Respondent-State.

2. Petitioners are working in Andhra Pradesh Housing Board and Andhra Pradesh State Irrigation and Development Corporation and seek enhancement of the age of retirement on par with the State Government employees. Reliance was placed on Section 16 of the Andhra Pradesh Housing Board Act, 1956 which provides for service conditions of the employees of the Housing Board at par with the State Government employees.

3. Subsequent to the filing of these Writ Petitions, the State Government had issued G.O.Ms.No.45, Finance (HR.IV-FR & LR) Department, dated 02.05.2026 extending the benefit of enhancement of age of superannuation from 60 to 62 years for regular employees of PSUs, Corporations and Societies included

under Schedules IX and X of the Andhra Pradesh Reorganization Act, 2014 retrospectively with effect from 01.01.2022 with certain conditions. Paragraph No.4 of the said G.O., is extracted below;

“4. Under these circumstances, Government has reviewed and examined the legal implications, financial burden on state exchequer and administrative considerations in the said organizations. After careful examination of all issues involved, hereby accord in principle approval for enhancement of age of superannuation from 60 to 62 years for regular employees of PSUs, Corporations and Societies included under Schedules IX and X of the Andhra Pradesh Reorganization Act-2014 retrospectively with effect from 01-01-2022 subject to the following:

(i) Employees who retired on attaining 60 years shall be re-inducted/continued up to 62 years, wherever applicable.

(ii) Necessary amendments to service rules shall be carried out by the institutions/societies/corporations, as applicable.”

4. In view of the same, the Writ Petitions are allowed and the Petitioners shall be continued in service in terms of G.O.Ms.No.45, dated 02.05.2026. No order as to costs.

As a sequel, pending applications, if any shall stand closed.

NYAPATHY VIJAY, J

Date: 20.07.2026

KLP