

[3460]

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
MONDAY, THE FIFTH DAY OF JANUARY,
TWO THOUSAND AND TWENTY SIX

:PRESENT:
THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 35462 OF 2025



Between:

C. Lakshmi Narasimha Murthy, S/o. Veeranna, aged 41 years, Occ.
Junior Assistant, (Under Orders of Reversion) O/o The Municipal
Corporation, Ananthapuramu, Ananthapuramu District, Andhra Pradesh

Petitioner

AND

1. The State of Andhra Pradesh, Rep.by its Principal Secretary, Municipal Administration and Urban Development Department, A.P. Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Regional Director-Cum- Appellate Commissioner of Municipal Administration, Ananthapuramu, Ananthapuramu District,
3. The Ananthapuramu Municipal Corporation, Ananthapuramu, Ananthapuramu District, Rep. by its Commissioner.
4. The Deputy Commissioner, Ananthapuramu Municipal Corporation, Ananthapuramu, Ananthapuramu District
5. K. Harshavardhan Reddy, S/o. K. Jaya Pratap Reddy, Aged about 49 years, Occ: Bill Collector, Now redesignated as Ward Administrative Secretary, Working at 9th Sachivalayam, Neeruganti Street No.1, Anantapur, Ananthapuramu District.

(Respondent No.5 impleaded as per Court Order dated 05.01.2026 vide IA.No.2 of 2025 in WP.No.35462 of 2025.)

Respondents

WHEREAS the Petitioner above named through his Advocate Smt. KAVITHA GOTTIPATI presented this 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 one on the nature of a writ of mandamus declaring the action of the 3rd Respondent in issuing proceedings vide Rc. No. 1142/2024/C1 dated 16-12-2025 wherein reverted the petitioner as Bill Collector (Post re designated as Ward Administrative Secretary) without issuing any notice is illegal, arbitrary, unjust, violative of principles of natural justice and violative of Article 14 and 16 of the constitution of India and consequently set aside the same by directing the respondents to continue the petitioner as Junior Assistant in the O/o 3rd Respondent;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Smt. KAVITHA GOTTIPATI, Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Municipal Administration and Urban Development Department, The State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Regional Director-Cum- Appellate Commissioner of Municipal Administration, Ananthapuramu, Ananthapuramu District,
3. The Commissioner, The Ananthapuramu Municipal Corporation, Ananthapuramu, Ananthapuramu District.

4. The Deputy Commissioner, Ananthapuramu Municipal Corporation, Ananthapuramu, Ananthapuramu District
5. K. Harshavardhan Reddy, S/o. K. Jaya Pratap Reddy, Aged about 49 years, Occ: Bill Collector, Now redesignated as Ward Administrative Secretary, Working at 9th Sachivalayam, Neeruganti Street No.1, Anantapur, Ananthapuramu District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the memorandum of grounds filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before **16.02.2026** to which date the case stands posted for hearing.

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 suspend the operation of proceedings vide Rc. No. 1142/2024/C1 dated 16-12-2025 of the 3rd Respondent by directing the respondents to continue the petitioner as Junior Assistant in the O/o 3rd Respondent;

The Court made the following ORDER:

Notice before admission, returnable in four weeks.

The present writ petition is field questioning the action of Respondents in reverting the Petitioner vide proceedings dated 16.12.2025 without issuing any prior notice as illegal and arbitrary.

The Petitioner was initially appointed as Bill Collector on 03.09.2014 and subsequently, the service of the Petitioner was regularized and later, the post of Bill Collector was re-designated as Ward Administrative Secretary. While so, the Additional Commissioner, Ananthapuramu Municipal Corporation has prepared provisional seniority list of Bill Collectors working in Ananthapuramu Municipal

Corporation on 09.12.2022. Pursuant thereto, the Petitioner was promoted as Junior Assistant against roster point No.7 which was meant for Scheduled Caste as the same is a carry forward vacancy.

The impleaded Respondent No.5 submitted representation questioning the appointment of the Petitioner and as no orders were being passed thereon, he filed W.P.No.24579 of 2025 and pursuant to the orders of this Court directing the Respondents to consider and dispose of the representation dated 04.08.2025, the impugned order is passed.

Learned counsel for the Petitioner would submit that the impugned order was passed without any prior notice and the same cannot be sustained. Further contention of the learned counsel is that even assuming that the appointment of the Petitioner as Junior Assistant is fortuitous; the compliance of principles of natural justice is absolute. Learned counsel for the Petitioner further relied upon G.O.Ms.No.40 MAUD (D1) Department, dated 03.02.2014 and contended that even the Respondent-Corporation is abiding by the said Rules.

Learned Assistant Government Pleader for Services would contend that the educational qualification for appointment to the post of Junior Assistant is Degree pursuant to the amendment to A.P.Ministerial Service Rules, 1998 issued vide G.O.Ms.No. 135, GAD (Ser.B). Department dated 12.05.2014. As the Petitioner admittedly does not have the requisite qualification of degree, the non-issuance of notice prior to passing of impugned order would not enure his benefit.

Learned counsel for the impleaded Respondent reiterated the said submissions apart from contending that the vacancy to which the Petitioner is promoted is not a carry forward vacancy.

Heard learned counsel for both the parties.

For the present, the Petitioner as on date is having educational qualification of Intermediate and as per the A.P.Ministerial Service Rules, 1998, the educational qualification for appointment to the post of Junior Assistant is degree as amended vide G.O.Ms.No.135 dated 12.05.2014.

The contention with regard to applicability of G.O.Ms.No.40 dated 03.02.2014 is misplaced at this point of time, as the Rules are meant for employees of Greater Visakhapatnam Municipal Corporation only and the nomenclature of the Rules is "GVMC Ministerial Subordinate Service Rules, 2014". There is nothing to show that these Rules apply to Ananthapuram Municipal Corporation. Therefore, the educational qualification of "Intermediate" would suffice for appointment to the post of Junior Assistant as per G.O.Ms.No.40 dated 03.02.2014 i.e. GVMC Ministerial Subordinate Service Rules does not appear to be correct. As Petitioner lack minimum educational qualification to hold the post of Junior Assistant, no interim order can be passed at this stage.

In the event the impleaded Respondent No.5 sought to be appointed as Junior Assistant, the same can be subject to the implead Respondent having "degree" qualification as specified in G.O.Ms.No.135 dated 12.05.2014.

Post on 16.02.2026.

Sd/- T. Srinivasa Rao
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, The State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Amaravati, Guntur District. (by SPECIAL MESSENGER)
2. The Regional Director-Cum- Appellate Commissioner of Municipal Administration, Ananthapuramu, Ananthapuramu District,
3. The Commissioner, The Ananthapuramu Municipal Corporation, Ananthapuramu, Ananthapuramu District.
4. The Deputy Commissioner, Ananthapuramu Municipal Corporation, Ananthapuramu, Ananthapuramu District

5. K. Harshavardhan Reddy, S/o. K. Jaya Pratap Reddy, Aged about 49 years, Occ: Bill Collector, Now redesignated as Ward Administrative Secretary, Working at 9th Sachivalayam, Neeruganti Street No.1, Anantapur, Ananthapuramu District. (2 to 5 by RPAD- along with a copy of petition and memorandum of grounds)
6. One CC to Smt. KAVITHA GOTTIPATI, Advocate [OPUC]
7. One CC to Sri. P. VENGALA REDDY, Advocate [OPUC]
8. One CC to Sri. VADAPALLI RAMESH, Advocate [OPUC]
9. Two CCs to GP FOR SERVICES I, High Court Of Andhra Pradesh. [OUT]
10. One spare copy

JSS

HIGH COURT

VN, J

DATED:05/01/2026

POST ON 16.02.2026.

NOTICE BEFORE ADMISSION

WP.No.35462 of 2025

DIRECTION

