

[3208]

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

**MONDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

**THE HONOURABLE SRI JUSTICE D RAMESH
WRIT PETITION NO: 45 OF 2026**



Between:

D.V. Ranga Kumar, S/o Brahmanandam, Aged 54 years, D.No.72-29-4,
Spinning Mill Colony-1, Near CWC Godowns, Lalacheruvu,
Rajamundry, East Godavari District.

Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Special Chief Secretary, Department of Industries and Commerce, Secretariat, Velagapudi, Amaravati- 522 238.
2. The Director of Mines and Geology, Anjaneya Towers, Ibrahimpatnam, Vijayawada-521 241
3. The Andhra Pradesh Public Service Commission, Rep by its Secretary, New Government Offices Building, 2nd Floor, M.G.Road, Vijayawada- 520010.
4. Smt V.Nagini, W/o G.Anil Babu, Divisional Mines and Geology Officer, Assistant Director of Mines, Sri Anjaneya Towers, D.No.7-104, 5 & 6 Floors, B-Block, Ibrahimpatnam, NTR District, A.P.-521 456.
5. Smt B.Vijaya Lakshmi, Divisional Mines and Geology Officer, D.No-1-12-A, Opp APSRTC Depot, Balaji Nagar, Tekkali, Srikakulam District - 532 201.
6. Sri Majji Srinivas, District Mines & Geology officer, D.No: 16-4, 1st floor, Opp Visakha Financers, Function hall, Near Nookambica Street, Anakapalli, 531 001.

Respondents

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, direction, order or orders more particularly one in the nature of Writ of Mandamus declaring:

(a) the proceedings of the 1st respondent in Memo No. 847625/2019/A2/ESTT dated 01.07.2024 in rejecting my appeal against the fixing of seniority by the 2nd respondent and

(b) the action of the 2nd respondent herein in fixing the seniority basing on the appointment made as per rule of reservation following the roster points by ignoring the order of merit,

as highly arbitrary, illegal, null and void and contrary to the Rule 33 (b) of A.P.State and Subordinate Service Rules, 1996 and service jurisprudence and consequently to set aside the proceedings of the 1st respondent dated 01.07.2024 and to fix my seniority as per the merit by placing the petitioner over and above the respondent nos.4 to 6;

IA NO: 1 OF 2026

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to direct the respondent authorities to consider the case of the petitioner for promotion to the post of Deputy Director in the ensuing DPC duly taking the order of merit in the selection process as basis for seniority, Pending disposal of WP 45 of 2026, 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 BALAJI MEDAMALLI, Advocate for the Petitioner, learned GP FOR MINES & GEOLOGY for the Respondent Nos.1&2, Sri G. SEENA KUMAR, Standing Counsel for the Respondent No.3, the Court made the following

ORDER:

In compliance to the earlier orders of this Court dated 05.01.2026, the petitioner has served notices to unofficial respondents and filed

proof of service. Despite receipt of notice, the respondents have not chosen to appear before the Court.

The contention of the petitioner is that pursuant to the notification No.5/2007, the petitioner was subjected to selection process and appointed as Assistant Geologist. As per the merit list furnished by the Selection Committee i.e. APPSC, the petitioner stood at rank no.3. But his case was considered under Roster Points and appointed at Serial No.40. As per the A.P. State and Subordinate Service Rules, 1996 Rule No.33 more specifically Rule 33(b) deals with the preparation of the seniority list that 'if appointment of two or more persons simultaneously to a service, the order of merit or order of preference indicated in a list of selected candidates prepared by the Public Service Commission or other selecting authority, shall not be disturbed inter-se with reference to the candidates position in such list or panel'. But surprisingly, here the respondents have prepared the seniority based on Roster which is contrary to law declared by the Hon'ble Supreme Court in Judgment in between ***Ajit Singh and Others (II) vs State of Punjab and others*** ((1999) 7 Supreme Court Cases 209)}

Considering the submissions, there shall be a direction to the respondents to consider the case of the petitioner for promotion based on the merit list furnished by the APPSC pursuant to the notification no.5/2007.

List the matter after four (04) weeks for filing counter-affidavit.

//TRUE COPY//

SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Special Chief Secretary, Department of Industries and Commerce, Secretariat, Velagapudi, Amaravati- 522 238, State of Andhra Pradesh (BY SPECIAL MESSENGER)
2. The Director of Mines and Geology, Anjaneya Towers, Ibrahimpatnam, Vijayawada-521 241
3. The Secretary, Andhra Pradesh Public Service Commission, New Government Offices Building, 2nd Floor, M.G.Road, Vijayawada-520010.
4. Smt V.Nagini, W/o G.Anil Babu, Divisional Mines and Geology Officer, Assistant Director of Mines, Sri Anjaneya Towers, D.No.7-104, 5 & 6 Floors, B-Block, Ibrahimpatnam, NTR District, A.P.-521 456.
5. Smt B.Vijaya Lakshmi, Divisional Mines and Geology Officer, D.No-1-12-A, Opp APSRTC Depot, Balaji Nagar, Tekkali, Srikakulam District - 532 201.
6. Sri Majji Srinivas, District Mines & Geology officer, D.No: 16-4, 1st floor, Opp Visakha Financers, Function hall, Near Nookambica Street, Anakapalli, 531 001. (Addressee Nos.2 to 6 by RPAD)
7. One CC to SRI. BALAJI MEDAMALLI Advocate [OPUC]
8. Two CCs to GP FOR MINES & GEOLOGY, High Court Of Andhra Pradesh. [OUT]
9. One CC to SRI G. SEENA KUMAR, STANDING COUNSEL [OPUC]
10. One spare copy

Kj

HIGH COURT

DR,J

DATED:09/02/2026

LIST THE MATTER AFTER FOUR (04) WEEKS FOR FILING COUNTER-AFFIDAVIT

ORDER

WP.No.45 of 2026

DIRECTION

