

**(SHOW CAUSE NOTICE BEFORE ADMISSION)**  
**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI**  
**(SPECIAL ORIGINAL JURISDICTION)**  
**MONDAY, THE EIGHTH DAY OF MAY**  
**TWO THOUSAND AND TWENTY THREE**



**:PRESENT:**

**THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**  
**WRIT PETITION NO: 12189 OF 2023**

**Between:**

1. B Bheem Reddy, S/o. Putta Reddy, Aged about 59 years, Occ. Full time contingent Employee, Pachikapallem Baranch, Vedurukupam Mandal, Chittur District.
2. T. Ramakrishna, S/o. Munnuswamy, Aged about 59, Occ. part time worker, sornala village and mandal, Chittur District.
3. D. Laxmi Kanthamma, W/o. Mohan, Aged about 59 years, Occ. Part time worker, Yadamarri village and mandal, Chittur District.
4. Y. Pandu, S/o. Pedda Kotaiah, Aged about 60 years, Occ. Part time worker, Racherla Village Mandal, Prakasham District.
5. D. Venkateshwar Reddy, S/o. Pedda Lingareddy, Aged about 62 years, Occ. Part time worker, Tripuranthakam village and mandal, Prakasham District.
6. Boddupalli Ramarao, S/o. Ramanaiah, Aged about 60 years, Occ. Village Librarian, Kothapalli Village, Rompicherla Mandal, Palnadu District, Telangana State.
7. P. Ravikishore, S/o. Ranganayakulu, Aged about 61, Occ. Village Librarian, Gopalavaripalem, Chilakaluripeta Mandal, Palnadu District.

**Petitioners**

**AND**

1. The State of Andhra Pradesh, rep., by its Principal Secretary, School Education Dept., Andhra Pradesh Secretariat, Amaravathi.
2. The State of AP, rep by its Principal Secretary to Finance and Planning Dept., Secretariat, Amaravathi.
3. The Director of Public Libraries, Government of Andhra Pradesh, Netla Bazar, Mangalagiri, Guntur District.
4. The Chairman, Zilla Grandhalaya Samstha, Chittoor district, Chittoor Town, Andhra Pradesh State, rep. by its Secretary.
5. The Chairman, Zilla Grandhalaya Samstha, Prakasham district, Prakasham Town, Andhra Pradesh State, rep. by its Secretary.
6. The Chairman, Zilla Grandhalaya Samstha, Guntur district, Guntur Town, Andhra Pradesh State, rep. by its Secretary.

**Respondents**

— WHEREAS the Petitioners above named through their Advocate Sri CH Ganesh 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 an order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the respondents in fixing the retirement age to the petitioners contingent employees working in the respondent Zilla Grandhalaya Samsthas by way of executive order issued in Proc. Rc.No.13-A3/2022, dated 17.12.2022 by respondent Director superseding and over-riding the

provisions of the law Sec.1,2 and 3 of Act 23 of 1984 with amended Act .4 of 2022 which applicable to those engaged on regular basis to these petitioner to cause irreparable loss, snatching their livelihood without regularizing their services from last four decades to treat them as regular for all service benefits these engaged on regular basis as Librarian Gr. III by implementing judgment rendered in O.A.No.2402 of 2016 and Batch Cases, dt.07.03.2017 by erstwhile APAT on confirmation by Hon'ble High Court in W.P.No.14287 of 2019, Dt.21.10.2019, as per of Article 14, 16, 21, 39 (d), 43 and 300 (A) Constitution of India, as highly illegal, unjust, unfair and prays to set aside impugned Proc. Rc. No. 13-A-3 /2022, dtl 7-12-2022 with direction to the respondents herein to treat the petitioners as regular one from the date of their initial appointment from the year 1986 for all service purposes on par with those who engaged on regular basis, as per the principles laid by the Hon'ble Apex Court in the case of Prem Singh Vs State of U.P. (2019 (1) SCC 516), followed in WP No. 33936 of 2011 and Batch Cases dated 02-05-2018 (2020 (4) ALD 379 TS (DB) and in W.A.No.483 of 2021 dated 22.10.2021, based on principle laid by the Hon'ble Supreme Court in C.A. No. 1254 of 2018 Apex Court, dated 23- 03-2018 in the case of Netram Sahu Vs. State of Chattisgarh and Anr. in Civil Appeal No.1254 of 2018, dated 23-03-2018 to reckon contingent services of petitioner for computation of qualifying service to grant of pension, gratuity and other retirement benefits on their retirement by releasing all consequential monetary benefits, along with periodical increments, as revised from time to time with arrears of pay by granting 100percent compensation Court in the case of Union of India Vs. Avtar Chand in C.A.No. 3416 - 3445 of 2010 and Batch Cases dated 19-02-2019 (ALD 3 of 2019 SC 32) by applying the aforesaid principles of the Hon'ble Apex Court under Article 141 of our Constitution by this Hon'ble Court in the case of petitioner.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri CH Ganesh Advocate for the Petitioners, GP FOR SERVICES III for the Respondents, 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, School Education Dept., State of Andhra Pradesh, Andhra Pradesh Secretariat, Amaravathi.
2. The Prl. Secretary to Finance and Planning Dept., State of AP, Secretariat, Amaravathi.
3. The Director of Public Libraries, Government of Andhra Pradesh, Netla Bazar, Mangalagiri, Guntur District
4. The Chairman, Zilla Grandhalaya Samstha, Chittoor district, Chittoor Town, Andhra Pradesh State, rep. by its Secretary.
5. The Chairman, Zilla Grandhalaya Samstha, Prakasham district, Prakasham Town, Andhra Pradesh State, rep. by its Secretary.
6. The Chairman, Zilla Grandhalaya Samstha, Guntur district, Guntur Town, Andhra Pradesh State, rep. by its Secretary.

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 affidavit filed therewith(copy enclosed ) this WRIT PETITION should not be admitted on or before 26.06.2023, on which date the case stands posted for hearing.

— The Court made the following order :

“Notice before admission

At request of learned Government Pleader for Services-III, list the matter on 26.06.2023, in regular list, for filing counter.”

Sd/- B. CHITTI JOSEPH  
ASSISTANT REGISTRAR

//TRUE COPY//

For /

SECTION OFFICER

— To,

1. The Principal Secretary, School Education Dept., State of Andhra Pradesh ,Andhra Pradesh Secretariat, Amaravathi.
2. The Prl. Secretary to Finance and Planning Dept., State of AP ,Secretariat , Amaravathi.
3. The Director of Public Libraries, Government of Andhra Pradesh, Netla Bazar, Mangalagiri, Guntur District
4. The Chairman, Zilla Grandalaya Samstha, Chittoor district, Chittoor Town, Andhra Pradesh State, rep. by its Secretary.
5. The Chairman, Zilla Grandalaya Samstha, Prakasham district, Prakasham Town, Andhra Pradesh State, rep. by its Secretary.
6. The Chairman, Zilla Grandalaya Samstha, Guntur district, Guntur Town, Andhra Pradesh State, rep. by its Secretary. (1 to 6 by RPAD- along with a copy of petition and affidavit)
7. One CC to Sri CH Ganesh Advocate [OPUC]
8. Two CCs to GP FOR SERVICES III ,High Court Of Andhra Pradesh. [OUT]
9. One spare copy

**HIGH COURT**

**NVJ**

**DATED:08/05/2023**

**LIST THE MATTER ON 26.06.2023, IN REGULAR LIST, FOR FILING COUNTER**

**NOTICE BEFORE ADMISSION**

**WP.No.12189 of 2023**

