



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

**WEDNESDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 15278 OF 2023

Between:

Mahammad Abdul Mateen, S/o Abdul Rahim, Aged 57 years, Occ. Presently working as Executive Engineer (OD) RWS&S Division, Madanapalle, R/o. H.No.3/146/9/3/5, 2nd Floor, 11th Cross, Prasanth Nagar, AV Naidu Colony, Madanapalle - 517325.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep.by Special Chief Secretary to Government Department of Panchayat Raj and Rural Development, Velagapudi, Amaravati.
2. The Engineer-in-Chief, Department of Rural Water Supply and Sanitation, Gollapudi, Vijayawada.

...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 or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the confirmed integrated seniority list of Deputy Executive Engineers from 01.04.2008 vide proceedings in Memo No. G/RWS&S/DEE/Seniority List/9655/2023, dated 19.06.2023 utterly disregarding and disturbing the long standing seniority by adopting an irrational method of cycling process and placing juniors over seniors in the integrated seniority list as illegal, arbitrary, high and violative of Principles of Natural Justice, violation of Fundamental Rights guaranteed to the Petitioner under Article 14, 16 and 21 of Constitution of India, contrary to Andhra Pradesh State and Sub-ordinate Service Rules, 1966 and to set aside the Memo No. G/RWS&S/DEE/Seniority List/9655/2023, dt.19.06.2023 with a consequential direction to the Respondents to revise the integrated seniority list adhering to Rule 33(a), 34 and 36(ii) and (iii) of Andhra Pradesh State and Sub-ordinate Rules, 1996 and adopting the cycling process and method of integration followed by R&B Department to determine the seniority of Deputy Executive Engineers to the post of Executive Engineers

IA NO: 1 OF 2023

Petition under Section 151 of 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 in Memo No. G/RWS&S/DEE/Seniority List/9655/2023, dt.19.06.2023 with a direction to the Respondents to not effect promotions to the post of Executive Engineer, RWS&S Department, pending the appeal preferred by the Petitioner dated 20.06.2023 to the 1st Respondent, Pending disposal of WP 15278 of 2023, 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 ARUN SHOWRI G Advocate for the Petitioner, GP FOR SERVICES, for the Respondents, The Court made the following

ORDER:

On perusal of the orders passed by the 2nd respondent on 16.06.2023, the authority has not disputed about the petitioner absorbing as Deputy Executive Engineer at the time of bifurcation. But strangely taking a stand that only Engineers were absorbed on the same day and based on the vacancy position they were adjusted.

In the instant case, after perusing the observations made in proceedings dated 16.06.2023, the final seniority list has issued on 19.06.2023, which is contrary to the provisions of the Act.

In view of the same, there shall be a direction to the respondents to maintain status-quo for a period of four (4) weeks.

At request of the learned Government Pleader and the Caveator, post after two (2) weeks.

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The Special Chief Secretary to Government, Department of Panchayat Raj and Rural Development, Velagapudi, Amaravati.
2. The Engineer-in-Chief, Department of Rural Water Supply and Sanitation, Gollapudi, Vijayawada. (Addressees 1 & 2 by RPAD)
3. One CC to SRI. ARUN SHOWRI G, Advocate [OPUC]
4. Two CCs to GP FOR SERVICES, High Court of Andhra Pradesh. [OUT]
5. One spare copy

PSR

HIGH COURT

DR,J

DATED:28/06/2023

NOTE: POST AFTER TWO (2) WEEKS

ORDER

WP.No.15278 of 2023

STATUS QUO

