

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

FRIDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NOS: 15278 & 15951 OF 2023

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.
 3. K. Yedukondalu, S/o K. Galaiah, Aged about 55 yrs, Occ Deputy Executive Engineer, RWS and S Sub Division, Zone-IV, Kodumur, Kurnool Dist.-518 464
 4. K. Muralidhara Rao, S/o K. Nana Rao, Aged About 58 years Occ Dy. Executive Engineer, RWS and S Division, Zone-IV, Adoni, Kurnool Dist, A.P. - 518 301
 5. A. Padmaja, W/O. A.V. Anjaneyulu, Aged About 55 years, Occ Deputy Executive Engineer, O/o RWS and S Circle, Zone-IV, Kodumur, Kurnool Dist. - 518 464.
 6. G. Reddaiah, S/O G. Lakshmaiah Aged About 57 Years, Occ Dy. Executive Engineer, A.P.M.I.D.C. Circle, Zone IV, S.V. Medical College Campus, Tirupati, A.P. - 517 507.
 7. K. Kalyan Chakravarthy, S/o. K.V. Chama Reddy, Aged About 56 years, Occ Dy. Executive Engineer, Zone IV, O/o Director General Vigilance and Enforcement (G.A.V and E Dept.), 2nd Floor, NTR Administrative Block, Pandit Nehru Bus Station (PNBS), Vijayawada, Krishna District, A.P.
- (Respondent Nos. 3 to 7 impleaded as per Court Order dated 26- 07- 2023 vide I.A.No. 3 of 2023 in WP No. 15278 of 2023.)

...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 the earlier orders of the High Court dated 28.06.2023, 26.07.2023 & 02.08.2023 made herein and upon hearing the arguments of SRI ARUN SHOWRI G Advocate for the Petitioner, GP FOR SERVICES IV for the Respondent Nos. 1 & 2, The Court made the following

WRIT PETITION NO: 15951 OF 2023

Between:

Meda Srinivas Kumar, S/o. Venkataiah Aged 50 years, R/o. H.No.371406(51) 18, 4th Lane, 7th Cross Road, Bhagyanagar, Ongole - 523001.

...Petitioner/s

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.
3. The State of Andhra Pradesh, Represented by its Special Secretary, Department of General Administration Department (Service) 1st Block, Andhra Pradesh Secretariat, Velagapudi, Amaravathi.
4. The Commissioner, Department of Panchayat Raj and Rural Development No. 12-47, PVS Empire, Near Pratur Cross Roads, Tadepalli, Guntur District - 522501.
5. Dasi Deva Nga Nataraj, S/o.Dasi Arjunudu (Late), Aged about 65 years, R/o. 65-3-8/1, Flat No. G-2, Sri Tirumalesa Apartments, Near Achyuthapuram Railway Gate, Narasanna Nagar, Kakinada (Urban), East Godavari, Andhra Pradesh-533 003.

6. Komarina Veera Venkata Chowdary, S/o. Komarina Venkata Raju, Aged about 60 years, R/o. 69-3-1/3C, Ushodaya Marg, Rajendra Nagar, Kakinada (Urban), East Godavari, Andhra Pradesh-533 003.
7. G. Trinatha Babu, S/o. Bayyana, Aged about 59 years, R/o. 24-22-12 A, Flat No. 505 APHB Towers, Chamarthi vadu Street, Durgapuram, Vijayawada (Urban), Krishna, Andhra Pradesh - 520 003.
8. Vakacharla Vijaya Kumar, S/o. Venkataratnam, Aged about 59 years, R/o. 76-5-18, Flat No. 201, Gangu Street, Narasimha Sowdha, Gandhipura2, Rajahmundry (Urban), East Godavari, Andhra Pradesh - 533 103.
9. Munuru Anantha Raju, S/o. Munuru Veeraju, Aged about 54 years, R/o. 4-204/2, Anganwadi Center Street, Old Gaigalpadu, Kakinada (Urban) East Godavari, Andhra Pradesh - 533 033.

Respondent Nos. 5 to 9 impleaded as per Court Order dated 02.08.2023 Vide IA No. 2 of 2023 in WP No. 15951 of 2023.

...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 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.

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The Petition Coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier order of the High Court dated 28.06.2023, 26.07.2023 & 02.08.2023 made herein and upon hearing the arguments of SRI ARUN SHOWRI G Advocate for the Petitioner, GP FOR SERVICES IV , for the Respondents, The Court made the following

ORDER:

"Post the matter on 21.08.2023.

Interim order granted on 26.07.2023 is extended till 21.08.2023."

//TRUE COPY//

**Sd/-M.PRABHAKAR RAO
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. One CC to SRI. ARUN SHOWRI G, Advocate [OPUC]
2. Two CCs to GP FOR SERVICES IV , High Court of Andhra Pradesh. [OUT]
3. One spare copy

HIGH COURT

VSJ

DATED:18/08/2023

POST THE MATTER ON 21.08.2023

ORDER

WRIT PETITION NOS: 15278 & 15951 OF 2023

INTERIM ORDER EXTENDED

