

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

MONDAY, THE TENTH DAY OF JULY, —
TWO THOUSAND AND TWENTY THREE —

:PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH —
WRIT PETITION NO: 16612 OF 2023 —



Between:

Vemulamanda Sivarama Raju, S/o- Satyanarayana Raju, aged- 62, R/o- D.No. 26-5-47/G1, Gayatri Enclave, Balusumudi, Bhimavaram, West Godavari District.5342002

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Higher Education (TE II) Department, Secretariat, Velagapudi, Amaravati, Guntur District.
2. All India Council for Technical Education (AICTE), Rep. by its Deputy Director, 7th floor, Chandralok Janpath, New Delhi.
3. The Commissioner of Technical Education, TNR Towers, JammiChettu center, Vijayawada.
4. A.P Admission and Fee Regulatory Committee (AFRC), Rep. by its Member Secretary, Tadepalli, Guntur District.
5. The State Board of Technical Education and Training, Rep. by its Secretary, Anne Towers, JammiChettu Center, Vijayawada, NTR District.
6. The Jawaharlal Nehru Technological University, Kakinada (JNTUK), Rep. by its Registrar, Kakinada.
7. SagiRamakrishnam Raju Engineering College, Rep. by its Secretary cum Correspondent, Chinna-Amiram, Bhimavaram, West Godavari District.534204
8. The Principal, SagiRamakrishnam Raju Engineering College, Chinna-Amiram, Bhimavaram, West Godavari District.534204

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased prayed that this Writ of Mandamus declaring the action of the respondents in contemplating to retire the petitioner on attaining the age of 62 years though the age of superannuation is 65 years as per AICTE regulations on Pay scales, Service Conditions and Minimum Qualifications for Appointment of Teachers and other Academic Staff such as Library, Physical Education and Training and Placement Personnel in Technical Institutions and Measures for the Maintenance of Standards in Technical Education- (Degree) Regulation, 2019 and paying salary in the scale of Associate Professor even though the petitioner is working as Professor as illegal, arbitrary, discriminative and violative of Articles 14 and 16 of the constitution of India and consequently direct the respondents to continue the services of the petitioner in the post of Professor, Civil Engineering Department as per the aforementioned regulations with all the consequential benefits attached to the scale of Professor along with arrears.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents to continue the services of petitioner as Professor in the Department of Civil Engineering in the 7th respondent institution, pending disposal of WP.No.16612 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 P.Vivek, Advocate for the Petitioner and GP for Higher Education for the Respondent No.1 and Sri G.Vijay Kumar, Standing Counsel for the Respondent Nos.2 to 5 and Sri I.Madhu Babu, Standing Counsel for the Respondent No.6, the Court made the following;

ORDER:

“Learned Government Pleader for Higher Education is appearing for respondent No.1. Sri G.Vijay Kumar, learned Standing Counsel is appearing for Respondent Nos.2, 3, 4 and 5, Sri I.Madhu Babu, learned Standing Counsel is appearing for respondent No.6.

Learned counsel for the petitioner is permitted to take out personal notice to respondent Nos.7 and 8 through RPAD and file proof of service in the Registry.

Learned counsel for the petitioner submits that in similar facts and circumstances, this Court in Writ Petition No.19593 of 2020, granted an interim direction on 22.10.2020.

Post after four (4) weeks.

Meanwhile, the respondents are directed to continue the petitioner in service, in view of the provisions of All India Council for Technical Education Regulations, 2010 and the guidelines of the Andhra Pradesh Admission and Fee Regulatory Committee.”

//TRUE COPY//

**Sd/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR**



For

SECTION OFFICER

To,

1. The Principal Secretary, Higher Education (TE II) Department, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Deputy Director, All India Council for Technical Education (AICTE), 7th floor, Chandralok Janpath, New Delhi.
3. The Commissioner of Technical Education, TNR Towers, JammiChettu center, Vijayawada.
4. The Member Secretary, A.P Admission and Fee Regulatory Committee (AFRC), Tadepalli, Guntur District.
5. The Secretary, State Board of Technical Education and Training, Anne Towers, JammiChettu Center, Vijayawada, NTR District.
6. The Registrar, Jawaharlal Nehru Technological University, Kakinada (JNTUK), Kakinada.
7. The Secretary cum Correspondent, Sagi Ramakrishnam Raju Engineering College, Chinna-Amiram, Bhimavaram, West Godavari District.534204
8. The Principal, Sagi Ramakrishnam Raju Engineering College, Chinna-Amiram, Bhimavaram, West Godavari District.534204 (Addressee Nos.1 to 8 by RPAD)
9. One CC to Sri. P.Vivek, Advocate [OPUC]
10. Two CCs to GP for Higher Education, High Court of Andhra Pradesh. [OUT]
11. One CC to Sri G.Vijay Kumar, Standing Counsel [OPUC]
12. One CC to Sri I.Madhu Babu, Standing Counsel [OPUC]
13. One spare copy

MM

HIGH COURT

DRJ

DATED:10/07/2023

NOTE: POST AFTER FOUR (4) WEEKS

ORDER

WP.No.16612 of 2023

DIRECTION

