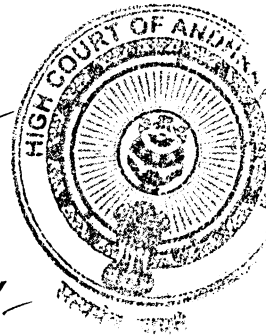


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, SEVENTH DAY OF MARCH
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY



WRIT PETITION NO: 1502 OF 2021

Between:

1. B.Ramesh Babu, S/o B.Ranga Swamy,
aged 38 years, Occ: Armed Reserve PC (288),
Dist Armed Reserve Kurnool, Kurnool District.
2. T.Pavan Kumar, S/o T.Venkatappa
aged 38 years, Occ: Police Constable (Civil)1135,
BPL PS, Kurnool District.
3. M.Trivikram Rao S/o. M.Prasad,
aged 39 years, Occ: Police Constable (Civil)1134,
Kurnool Taluka UPS, Kurnool District.
4. P.Yellaiah, S/o P.Seshanna,
aged 39 years, Occ: Armed Reserve PC 3501,
DAR Kurnool, Kurnool District.
5. S.Srikanth, S/o S.Rajagopal,
aged 36 years, Occ: Police Constable (Civil)1151,
Ullindokonda PS, Kurnool District.
6. M.Naganna, S/o M.Chinna Pullaiah,
aged 35 years, Occ: Police Constable (Civil)1153,
Velugodu PS, Kurnool District.
7. C.Praveen, S/o C.Sunkanna,
aged 32 years, Occ: Police Constable (Civil)2106,
Ndk Town PS, Kurnool District.
8. G.Purushotham, S/o G.Venkata Ramana
aged 35 years, Occ: Police Constable (Civil)1042,
Kurnool III Town PS, Kurnool District.
9. P.Khaja, S/o P.Khaja Bandenawaz,
aged 34 years, Occ: Police Constable (Civil)1139,
Kosigi PS, Kurnool District.
10. K.Veeresh, S/o K.Nallanna,
aged 36 years, Occ: PC (Civil) 1092,
Kosigi PS, Kurnool District.
11. D.Veeresh Kumar, S/o D.Veeriah,
aged 33 years, Occ: PC (Civil) 1176,
Ndk II Town, Kurnool District.

12. C.Vamshi Krishna, S/o C.Shivappa,
aged 33 years, Occ: ARPC 1888,
DAR Kurnool, Kurnool District.
13. D.Veera Bhaskar, S/o D.Seshanna
aged 33 years, Occ: PC (Civil) 3500,
ADN Taluka PS, Kurnool District.
14. K.Raja Sekhar, S/o K.Hanumathappa,
aged 33 years, Occ: PC (Civil) 1598,
Alur PS, Kurnool District.
15. G.Kishore Kumar, S/o G.Nageswara Rao,
aged 34 years, Occ: ARPC 806,
DAR Kurnool, Kurnool District.
16. B.Shiva Naik, S/o B.Mange Naik
aged 32 years, Occ: ARPC 824,
DAR Kurnool, Kurnool District.
17. M.Suresh Kumar, S/o M.Ramakrishnudu,
aged 34 years, Occ: PC (Civil) 1785,
Ndl Traffic PS, Kurnool District.
18. K.Manohar, S/o K.Chinna Maddaiah
aged 35 years, Occ: PC (Civil) 1418,
Ndl I Town, Kurnool District.
19. V.Chandrakanth S/o V.Lakshmaiah
aged 35 years, Occ: PC (Civil) 979,
Gospadu PS, Kurnool District.
20. S.Maddileti Naik, S/o S.Pedda Veera Naik
aged 35 years, Occ: PC (Civil) 956,
Devanakonda PS, Kurnool District.
21. G.Venkateswarlu, S/o G.Venikata Swamy,
aged 39 years, Occ: PC (Civil) 1736,
Velugodu PS, Kurnool District.
22. A.Sudhakar, S/o A.Ananda Raju
aged 37 years, Occ: ARPC 652,
DAR Kurnool, Kurnool District.
23. S.Basheer Basha, S/o S.Basha Peeran,
aged 31 years, Occ: PC (Civil) 966,
Nandikotkur PS, Kurnool District.
24. K.Maddilety, S/o K.Shankaraiah,
aged 33 years, Occ: ARPC 600,
DAR Kurnool, Kurnool District.

25. A.Shiva Shankar Prasad, S/o A.Krishna Murthi
aged 35 years, Occ: ARPC 2025,
DAR Kurnool, Kurnool District.
26. N.Ramanjineyulu, S/o N.Sunkanna
aged 38 years, Occ: ARPC 1894
DAR Kurnool, Kurnool District.
27. P.Rajasekhar, S/o P.Pakkiraiah
aged 38 years, Occ: PC (Civil) 1731,
KKL PS, Kurnool District.
28. K.Koteswar, S/o K.Chinna Yellaiah,
aged 35 years, Occ: ARPC 2055,
DAR Kurnool, Kurnool District.
29. B.Chinna Raju, S/o B.Chinna Naganna,
aged 36 years, Occ: PC (Civil) 1155,
Krishnagiri PS, Kurnool District.
30. K.Thavu Naik, S/o K.Pullanna Naik
aged 40 years, Occ: ARPC 2836,
DAR Kurnool, Kurnool District.
31. M.Venu Gopal Reddy, S/o M.Madhava Reddy,
aged 35 years, Occ: ARPC 1904,
DAR Kurnool, Kurnool District.
32. M.Rajeshwara Rao, S/o M.Manesha
aged 40 years, Occ: ARPC 828,
DAR Kurnool, Kurnool District.
33. S.Ali Akbar, S/o S.Murthuja Vali,
aged 38 years, Occ: PC (Civil) 3067,
Faction Zone, Kurnool District.
34. K.Purushotham Reddy, S/o K.Sathyanarayana Reddy,
aged 37 years, Occ: ARPC 3526,
DAR Kurnool, Kurnool District.
35. B.Ramanjineyulu, S/o B.Veeranna
aged 39 years, Occ: PC (Civil) 936,
Orvakal PS, Kurnool District.
36. K.Ramanjaneyulu, S/o K.Sunkanna,
aged 38 years, Occ: PC (Civil) 1425,
YMGR Town PS, Kurnool District.
37. A.Swamulu, S/o A.Sunkanna,
aged 36 years, Occ: ARPC 724,
DAR Kurnool, Kurnool District.

38. M.Veeresh, S/o M.Hussainappa,
aged 33 years, Occ: PC (Civil) 1987,
Gonegandla PS, Kurnool District.
39. A.Ramudu, S/o A.Sudharashanam,
aged 33 years, Occ: PC (Civil) 1301,
BPL PS, Kurnool District.
40. T.Giri Swamy, S/o T.Chinnaiah,
aged 38 years, Occ: PC (Civil) 1986,
Gonegandla PS, Kurnool District.
41. S.Srikanth Sreenivasulu, S/o S.Thimmaiah,
aged 36 years, Occ: ARPC 239,
DAR Kurnool, Kurnool District.
42. A.Ganga Rao, S/o A.Obuleshu,
aged 38 years, Occ: PC (Civil) 3154,
Bandi Atmakur, Kurnool District.
43. B.Parasu Ramudu, S/o B.Ayyanna,
aged 36 years, Occ: ARPC 2034,
DAR Kurnool, Kurnool District.
44. M.Suresh Babu, S/o M.Ram Pullaiah,
aged 36 years, Occ: ARPC 818,
DAR Kurnool, Kurnool District.
45. K.G.Raj Kumar, S/o K.G.Mallikarjuna,
aged 40 years, Occ: PC (Civil) 3193,
Kodumur PS, Kurnool District.
46. T.Narayana, S/o T.Ramaiah,
aged 38 years, Occ: PC (Civil) 1985,
C-Belgal PS, Kurnool District.
47. M.G.Venkatesh, S/o M.Chandranna,
aged 38 years, Occ: PC (Civil) 989,
Orvakal PS, Kurnool District.
48. G.Gopi, S/o G.Pulikonda,
aged 33 years, Occ: PC (Civil) 1176,
Kurnool Town PS, Kurnool District.
49. P.Veerakesava Reddy, S/o P.Nagabhushan Reddy,
aged 35 years, Occ: PC (Civil) 1682,
And Taluka, Kurnool District.
50. E.Vijayabhaskar, S/o E.chandra Sekhar
aged 35 years, Occ: ARPC 753,
DAR Kurnool, Kurnool District.

51. G.S.Mujafer Rahiman, S/o G.S.Majahar Hussain
aged 39 years, Occ: PC (Civil) 1118,
YMGR Town PS, Kurnool District.
52. N.Mallikarjun Reddy, S/o N.Nagi Reddy
aged 33 years, Occ: ARPC 821,
DAR Kurnool, Kurnool District.
53. B.Veera Prasad, S/o B.Pedda Veeraiah,
aged 37 years, Occ: PC (Civil) 3155,
DAR Kurnool, Kurnool District.
54. E.Omkari, S/o E.Basanna,
aged 35 years, Occ: PC (Civil) 3189,
Kurnool II Town PS, Kurnool District.
55. K.Narasimha, S/o K.Ramakrishnudu,
aged 33 years, Occ: ARPC 852,
DAR Kurnool, Kurnool District.
56. P.Farhad Khan, S/o P.Rasool Khan,
aged 33 years, Occ: PC (Civil) 3069,
Kurnool Traffic PS, Kurnool District.
57. M.C.Ussain Valli, S/o M.Nabi Saheb
aged 33 years, Occ: PC (Civil) 1310,
Kurnool Traffic PS, Kurnool District.
58. S.Iliyaz Basha, S/o S.Mastan Saheb,
aged 32 years, Occ: PC (Civil) 3190,
Nandyal I Town PS, Kurnool District.
59. S.Chenchaiah, S/o S.Obulesu
aged 38 years, Occ: PC (Civil) 1005,
Pamulapadu PS, Kurnool District.
60. C.Sreenivasulu, S/o C.Venkatesulu,
aged 36 years, Occ: Police Constable (Civil) 1463,
Nandvaram PS, Kurnool District.
61. V.B.Lepakshappa, S/o Hampaiah
Aged 42 years, Occ. Police constable (Civil)
Adoni TQ, PS, Kurnool District.
62. S.Md.Samiulla, S/o S.Md.Vali,
aged 36 years, Occ: Police constable (Civil) 935,
YMGR Town, Kurnool District.
63. V.Ramakrishna, S/o V.Mallikarjuna
aged 34 years, Occ: ARPC 708,
DAR Kurnool, Kurnool District.

64. M.Seshanna, S/o M.Sunkanna,
aged 38 years, Occ: Police constable (Civil) 1517,
Nandyal I Town, Kurnool District.

65. B.Raju, S/o B.Sanjanna
aged 36 years, Occ: ARPC 1896,
DAR Kurnool, Kurnool District.

66. T.K.Lakshmanna, S/o T.Kondalaiah
aged 34 years, Occ: ARPC 1671,
DAR Kurnool, Kurnool District.

67. B.Chndranna, S/o B.Thimmanna
aged 37 years, Occ: Police constable (Civil) 1504,
Pedakadabur PS, Kurnool District.

68. M.Maddilety, S/o M.Bujjana,
aged 37 years, Occ: Police constable (Civil) 3192,
Sirivella PS, Kurnool District.

69. V.Sreeramulu Naik, S/o V.Rathnakar Naik
aged 36 years, Occ: Police constable (Civil) 1342,
Maddikera PS, Kurnool District.

..... Petitioners

AND

1. State of Andhra Pradesh,
Rep., by its Principal Secretary,
Home Department, Secretariat,
Velagapudi, Amaravathi, Guntur District.

2. The Director General of Police,
Andhra Pradesh, Guntur District.

3. The Inspector General of Police.
Kurnool Range, Kurnool.

4. The Superintendent of Police,
Kurnool, Kurnool District.

..... 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, order or direction more in the nature of Writ of Mandamus to declare the proceedings vide C.No.A8/14287 and 14336/2019 dated 19.02.2020 on the file of the 4th respondent in rejecting the claim of the petitioners for sanction of increment under Automatic Advancement scheme for 6 and 12 years by counting the past service rendered in the category of Police Constable in the APSP department i.e. service rendered prior to the selection of Police Constable Civil and effecting recovery of increment sanctioned after 6 years of service under Automatic Advancement which was paid long back as illegal, arbitrary, discriminatory and against Article 14, 16 and 21 of the Constitution of India, against the Rule 22 (a)(iv) of Fundamental Rules and also contrary to the Hon'ble Apex Court judgment passed in Civil Appeal No. 11527 OF 2014 and batch dated 18.12.2014 and set aside the same and consequently direct the respondents to sanction increments under Automatic Advancement scheme for 6 and 12 years by counting the past service rendered in the category of police constable in the APSP department.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay of recovery of increments already sanctioned for 6 years under Automatic Advancement by suspending the proceedings vide C.No. A8/14287 & 14336/2019 dated 19.02.2020 pending disposal of WP 1502 of 2021, 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 order of the High Court dated 21-01-2021 and 11-02-2021 made herein and upon hearing the arguments of Sri S. Harinath Reddy, Advocate for the Petitioners and of GP for Services I for the Respondents, the Court made the following.

ORDER:

"Post on 26-3-2021.

Interim order granted earlier is extended for a period of four (4) weeks."

//TRUE COPY//

Sd/-M.Ramesh Babu
ASSISTANT REGISTRAR
P. Ram
SECTION OFFICER

For

To

1. One CC to Sri S. Harinath Reddy, Advocate [OPUC]
2. Two CCs to GP for Services I, High Court of Andhra Pradesh. [OUT]
7. One spare copy

PR

HIGH COURT

MSMJ

DATED:17.03.2021

ORDER

WP.No.1502 of 2021

POST ON 26-03-2021

INTERIM ORDER IS EXTENDED

