

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)

FRIDAY, THE THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE



PRESENT

THE HONOURABLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 2761 OF 2022

Between:

1. M Venkata Ramana, S/o.Chinna Venkatappa, Aged 45 years, occ. Village servant of Thummarakunta Village, Peddathippasamudram Mandal, Chittoor District.
2. V.Sareenivasulu, S/o.Narayana, Aged about 48 years, occ. Village servant of Borlapalli Vilalge, Peddathippasamudram Mandal, Chittoor District.
3. K.Venkata Ramana, S/o.Narasimhulu, Aged about 36 years, Occ. Village servant of Madhayagaripalli Village, Peddathippasamudram Mandal, Chittoor District.
4. K.Ramalakshmi, W/o.Krishnappa, Aged 48 years, occ. Village servant of Madhumuru Village, Peddathippasamudram Mandal, Chittoor District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Chief Commissioner of Land Administration, Government of A.P., Guntur, Guntur District.
3. The District Collector, Chittoor, Chittoor District.
4. The Tahsildar, Peddathippasamudram Mandal, Chittoor 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 of mandamus or any other appropriate writ or direction declaring the impugned order of the respondent No.3 in Roc.A8/E-280782/2020 dt.28.10.2021 in rejecting for promotion to the VROs from VRAs of the petitioners as illegal, arbitrary and unconstitutional and contrary to law and set-side the same and consequently direct the respondents to consider the case of the petitioner for promotion to the post VROs by filing up the existing posts of Village Revenue Officers Grade-II as per the Seniority list forthwith.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 3rd respondent to consider the case of the petitioner for promotion to the post of VROs by filing up the existing posts of Village Revenue Officers Grade-II as per the Seniority list forthwith by suspending the impugned proceedings of the 3rd respondent vide Roc.A8/E-280782/2020 dt.28.10.2021 pending disposal of the Writ Petition.

Counsel for the Petitioner: SRI. SURESH KUMAR REDDY KALAVA

Counsel for the Respondents: GP FOR SERVICES I

The Court made the following order:



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3310]

FRIDAY ,THE THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 2761/2022

Between:

M Venkata Ramana and Others

...PETITIONER(S)

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1.SURESH KUMAR REDDY KALAVA

Counsel for the Respondent(S):

1.GP FOR SERVICES I

The Court made the following:

ORDER:

The Writ Petition is filed under Article 226 of Constitution of India, seeking the following relief:

“...to issue a writ of mandamus or any other appropriate writ or direction declaring the impugned order of the respondent No.3 in Roc.A8/E280782/2020, dt:28.10.2021 in rejecting for promotion to the VROs from VRAs of the petitioners as illegal arbitrary and unconstitutional and contrary to law and set aside the



same and consequently direct the respondents to consider the case of the petitioner for promotion to the post VROs by filing up the existing posts of Village Revenue Officers Grade II as per the Seniority list forthwith and pass..."

2. Heard Sri Suresh Kumar Reddy Kalava, learned counsel for the petitioners, and learned Assistant Government Pleader for Services – I.

3. Learned counsel for the petitioners submits that initially the petitioners were working as Village Servants in the year 2007 and presently discharging their duties in Chittoor District under the jurisdiction of the 3rd and 4th respondents. The petitioners along with 84 persons were terminated in the year, 2008 on the ground that they were appointed in the ban period. Questioning the same, the petitioners and other persons have filed O.A.Nos.6916 and 6920 of 2008, wherein the Tribunal, *vide* common order, dated 20.10.2008 has set aside the termination order issued by the 4th respondent and directed them to reinstate the petitioners into service. Being aggrieved by the said order, the respondents filed W.P.No.28310 of 2008 and batch, wherein the erstwhile High Court of Andhra Pradesh confirmed the order of the Tribunal. Thereafter, the 3rd respondent issued proceedings *vide* ROC.A8/E-280782/2020, dated 21.08.2020 showing the eligible senior list of persons for promotions to the VRO,

wherein the names of the petitioners were not included. Aggrieved thereby the petitioners filed W.P.No.23010 of 2020 before the erstwhile High Court of Andhra Pradesh which was disposed of on 10.12.2020 with a direction to the 3rd respondent to pass orders in relation to the promotion of the petitioners within four (04) weeks. As the said order was not complied with, the petitioners filed C.C.No.155 of 2021. Thereafter, the impugned proceedings, dated 28.10.2021 have been issued stating that the appointment of the petitioners as VRA's itself is irregular and they are not eligible for promotions till a policy decision is taken by the Government. Hence, the present writ petition.

4. Per contra, learned Assistant Government Pleader for Services-I, relying upon the counter-affidavit of the 3rd respondent submits that, this Court has passed orders in W.P.No.23010 of 2020, dated 10.12.2020 which reads as under:

"... In view of the said submission, there shall be a direction to the District Collector/3rd respondent to pass orders in relation to the promotion of the petitioners within a period of four (04) weeks from the date of receipt of a copy of this order."

5. In pursuance of the said order, the Collector/3rd respondent has issued an endorsement, dated 30.01.2021 to the



petitioners and the same was addressed to the CCLA, AP, Hyderabad for clarification to consider their cases for promotion.

6. Learned Assistant Government Pleader further stated that due to non-compliance of the orders of this Court in W.P.No.23010 of 2020, the petitioners filed Contempt case in C.C.No.155 of 2021 before this Court. Thereafter, the District Collector has issued proceedings *vide* ref.No.A8/280782/2020, dated 28.10.2021 stating that the appointments of the petitioners as VRAs are irregular and they are not eligible for any promotions till a policy decision is taken by the Government, as per the instructions of the CCLA, A.P., *vide* Ref.No.A2/581/2010, dated 27.08.2010. It is therefore contended that, since then, there is no specific orders/instructions received from the Government in respect of the promotion of the petitioners. Thus, prays to dismiss the present writ petition.

7. Perused the material on record.

8. Having regard to the facts and circumstances of the case and on considering the submissions of both learned counsels, since, the Government is yet to take a decision in respect of the promotions of the petitioners, this Court is inclined to dispose of the writ petition directing the 2nd respondent to take a decision in the matter within a

period of three (03) months from the date of receipt of the order in accordance with law.

9. With the above direction, the Writ Petition is disposed of.
No order as to costs.

As a sequel, interlocutory applications, if any pending, shall stands closed.

//TRUE COPY//

**Sd/- A.VIJAYA BABU
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Chief Commissioner of Land Administration, Government of A.P., Guntur, Guntur District.
3. The District Collector, Chittoor, Chittoor District.
4. The Tahsildar, Peddathippasamudram Mandal, Chittoor District.
5. One CC to Sri. Suresh Kumar Reddy Kalava Advocate [OPUC]
6. Two CCs to GP for Services I, High Court Of Andhra Pradesh. [OUT]
7. Three CD Copies

GSC

HIGH COURT

DATED:03/01/2025

ORDER

WP.No.2761 of 2022



DISPOSING OF THE WP

WITHOUT COSTS