

[3329]

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

TUESDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

: PRESENT:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA
WRIT PETITION NO: 3566 OF 2023**Between:**

K Nirmala, W/o. Late T. Haranath, Aged 60 years, Occ: Assistant Section Officer, APSIDCL R/o. 49-54/9/2/8, Flat No. 204, B.S. layout Akkayapalem, Sri Ganesh Residency, Visakhapatnam, Visakhapatnam District

Petitioner**AND**

1. The State of Andhra Pradesh, Rept. by Principal Secretary, Finance Department Secretariat, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, Rept. by Principal Secretary, Water Resources Department, Secretariat, Amaravathi, Guntur District.
3. The A.P State Irrigation Department Corporation Ltd, Rept. by its Managing Director, Corporate Office, Ammana Estate, Opp. Andhra Hospital, Prakasam Road, Governorpet, Vijayawada
4. The Superintending Engineer, APSIDC Circle, Visakhapatnam Circle, Visakhapatnam 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 particularly one in the nature of writ of Mandamus to declare the delay and inaction on the part of respondents in enhancing the age of superannuation from 60yrs to 62yrs for the employees working in 3rd respondent Corporation in terms of G.O.Ms.No.15, dt.31-01-2022 issued by the 1st respondent as arbitrary, illegal violation of Articles 14 and 21 of the Constitution of India and consequently direct the respondents to enhance the age of superannuation of the petitioner from 60yrs to 62yrs on par with the Government employees in terms of G.O.Ms.No.15, dt.31-01-2022 issued by the 1st respondent

IA NO: 1 OF 2023

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 respondent No.3 to continue the petitioner in service beyond 60yrs in terms of G.O.Ms.No.15, dt.31-01-2022 issued by the 1st respondent with all the consequential benefits, pending disposal of WP 3566 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 NAGENDRA REDDY Advocate for the Petitioner, and of GP FOR FINANCE AND PLANNING for the Respondent No.1, GP FOR WATER RESOURCE for Respondent No.2, SRI RAJ MANOHAR Standing Counsel for Respondent Nos.3 & 4, the Court made the following.

ORDER:

"Heard learned counsel for the petitioner and learned counsel for the respondents.

Learned counsel for the petitioners would submit that in similar circumstances, by an order dated 24.01.2023 in W.P.No.1547 of 2023, this Court granted an interim order as follows:

"Accordingly, there shall be an interim direction to the respondents to continue the petitioner in service till he attains the age of 62 years."

Learned counsel for the respondents has not disputed the submission made by the learned counsel for the petitioners.

In view of the above, this Court deems it appropriate to extend the similar benefit to the petitioners herein also.

Accordingly, there shall be an interim direction to the respondents to continue the petitioner in Service till he attains the age of 62 years in terms of G.O.Ms.No.15, dated 31.01.2022.

List the matter on 06.03.2023".

Sd/- T. MADHAVI
ASSISTANT REGISTRAR



SECTION OFFICER

//TRUE COPY//

For

To,

1. The Principal Secretary, Finance Department, State of Andhra Pradesh, Secretariat, Amaravathi, Guntur District.
2. The Principal Secretary, Water Resources Department, State of Andhra Pradesh, Secretariat, Amaravathi, Guntur District.
3. The Managing Director, A.P State Irrigation Department Corporation Ltd, Corporate Office, Ammana Estate, Opp. Andhra Hospital, Prakasam Road, Governorpet, Vijayawada
4. The Superintending Engineer, APSIDC Circle, Visakhapatnam Circle, Visakhapatnam District. (Addresses 1 to 4 by RPAD)
5. One CC to SRI. P NAGENDRA REDDY Advocate [OPUC]
6. Two CCs to GP FOR FINANCE AND PLANNING, High Court of Andhra Pradesh. [OUT]
7. Two CCs to GP FOR WATER RESOURCE, High Court of Andhra Pradesh [OUT]
8. One CC to SRI RAJ MANOHAR, Standing Counsel [OPUC]
9. One spare copy

HIGH COURT

NVJ

DATED:14/02/2023

LIST THE MATTER ON 06.03.2023

ORDER

WP.No.3566 of 2023

INTERIM DIRECTION

