APHC010075292022

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3458]**
(Special Original Jurisdiction)

WEDNESDAY ,THE TWENTY THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 5725/2022

Between:

M. Prabhavathamma **...PETITIONER**

AND

Tirumala Thrirupati Devasthanam and Others **...RESPONDENT(S)**

Counsel for the Petitioner:

1. S VARADARAJULU CHETTY

Counsel for the Respondent(S):

1. ANUP KOUSHIK KARAVADI(SC FOR TIRUMALA TIRUPATHI DEVASTHANAMS)
2. Dr MAJJI SURI BABU (SC FOR TTD)

The Court made the following:

ORDER:

Heard the learned counsel for the petitioner and the learned Standing Counsel for Endowments - TTD.

2. Challenging the inaction of the respondents in considering the representation of the petitioner, dated 17.01.2022, the instant writ petition is filed.

3. The grievance of the petitioner is that while she was working as Physical Director in Padmavati Junior College, Tirupati was forced to work in Padmavati Degree College, Tirupati and however, she was denied the benefits attached to the said post of Physical Director of Degree College. The petitioner's further grievance is that on 01.06.1983, she had undergone a tubectomy operation which carried certain incentives/increments at the relevant period of time. Even the said increments were denied. After retirement on 31.01.2006, she has filed representation before the 1st respondent on 17.01.2022, bringing to the notice of the respondents, however, that representation was not considered. Therefore, she approached this Court by way of the instant writ petition.

4. The 1st respondent has filed counter-affidavit stating that the petitioner is not entitled for promotion to the post of Physical Director in Degree College, since, she did not have required minimum service of three (03) years which is required for promotion to the post of Physical Director in Degree College and she has retired on super annuation before completion of minimum service of three years. In the past also she had made a similar application in 2017 and the same was rejected *vide* proceedings of the Executive Officer, on 25-01-2017 since the petitioner was lacking three years of minimum service from the post of Physical Director, Junior College.

5. It is further stated that the petitioner had undergone Tubectomy operation on 01.06.1983 and the claiming incentive to she has filed a representation on 29.07.1985 for sanction of the increments. In terms of

G.O.Ms.No.500 Medical Health and Family Welfare (D2) Department, dated 11.12.1996, the application for incentives should be made within three (03) months from the date of the operation. And the petitioner has not applied within the stipulated time is not entitled for incentives of the scheme. It is further stated that family planning incentive was already sanctioned to the petitioner's husband when the petitioner's husband's 1st wife had underwent a family planning operation on 21.10.1976 and as per rules, if both the husband and wife are employees, only one of them will be sanctioned Family Planning incentive increment. Therefore, the petitioner is also not entitled for the family planning incentive. Thus stated that the petitioner is not entitled for family planning incentive, the same was also informed to the petitioner vide letter Roc.No.TTD-80021(31)/69/2019-DEO-SEC-TTD, dated 26.04.2019.

6. In view of the foregoing and having considered the rival contentions, I do not find any inaction of the respondents in considering the case of the petitioner.

7. The Writ Petition is accordingly, dismissed. There shall be no order as to costs.

As a sequel, all pending miscellaneous applications shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Date: 23.04.2025
MSI

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 5725/2022

Date: 23.04.2025
MSI