

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

WEDNESDAY, THE SEVENTEENTH DAY OF JUNE,
TWO THOUSAND AND TWENTY

: PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

WRIT PETITION NO: 9993 OF 2020



Between:

1. Vangala Sreenivasa Reddy, S/o. Late V. Konda Reddy.
2. Shaik Hajee Sandhani, S/o Shaik Hajee Peeran Saheb.
3. Murali Satya Venkata Krishna Siva Rama Prasad, S/o. Late Murari Srihari Rao.
4. M.Jaganmohan Reddy, S/o Rama Chandra Reddy.

Petitioners

AND

1. The State of Andhra Pradesh, Represented by its Special Chief Secretary, Water Resources Department, Secretariat, Velagapudi, Amaravati, Guntur District, A.P.
2. The Engineer-in-Chief (Administration), Water Resources Department, Vijayawada, A.P. (Convenor)
3. Special Commissioner Command Area Development Authority, Andhra Pradesh, Vijayawada.
4. Director Ground Water and Water audit department, Andhra Pradesh, Vijayawada.
5. Additional Secretary/Joint Secretary to Government, Water Resources (Ser I) Dept. A.P. Secretariat, Velagapudi, Amaravathi, Guntur District, A.P.
6. Screening Committee, represented by its Chairman, Special Commissioner, Command Area Development Authority, Andhra Pradesh, Vijayawada, A.P.

...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 declaring the action of the 1st Respondent in reconstituting the Screening Committee vide G.O. Rt. No. 282, Water Resources (Services-1) Department dated 3.6.2020 as illegal, arbitrary, unconstitutional and contrary to G.O.Ms.No.230 GAD (Ser D) Department dt. 22-05-1999 and G.O.Ms.No.275 GAD (Ser D) Department dt.21-06-1999 and orders in W.P.No. 9215/2020 dated 28.5.2020 and set aside the same and consequently declare that any action taken or any proceedings issued by the Respondents pursuant to the reconstitution of the screening committee is null and void.

IA NO: 1 OF 2020

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 stay all further proceedings issued in pursuance of G.O. Rt. No. 282, Water Resources (Services-I) Department dated 3.6.2020 issued by Respondents, pending disposal of WP 9993 of 2020, 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 Smt. A Chaya Devi, Advocate for the Petitioners and Sri Bhimarao, learned Government Pleader for Services – III for Respondents, the Court made the following.

ORDER

“The petitioners are Engineers working in the Water Resources Department. They are aggrieved by the orders issued by the Government in G.O.Rt.No.282, dated 03.06.2020 on the ground that the said G.O. is not in accordance with the adhoc rules issued vide G.O.Ms.No. 230, dated 22.05.1999 and that the Screening Committee for the purpose of fixing inter se seniority of the Engineers working in the Water Resources Department is improperly constituted inasmuch as the members of the said Screening Committee are not

the appointing the authorities for the State service. It is the further contention of the petitioners that such a Screening Committee could have been constituted with the prior permission of the Government, and in the absence of such permission, the said Committee would have to be quashed which has been improperly constituted, and consequently, the said Committee cannot go ahead with the process of fixing inter se seniority.

Sri Bhimarao, learned Government Pleader for Services – III, submits that the rules have been complied with and proper permissions, etc. have also been taken and seeks time to produce necessary records to that effect and also for getting instructions in the matter.

It is further stated that this writ petition is connected with W.P.No.9215 of 2020, as such, the present writ petition may be posted along the said writ petition.

List the matter on 23.06.2020 along with W.P.No.9215 of 2020 in Motion List.

Till then, in view of the urgency expressed by the learned counsel for the petitioners, the 6th respondent – Screening Committee may continue with its process, however it shall not finalize any seniority list fixing inter se seniority between the officers in the Department."

SD/- M. SURYANADHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Special Chief Secretary, Water Resources Department, Secretariat, State of Andhra Pradesh, Velagapudi, Amaravati, Guntur District, A.P.
2. The Engineer-in-Chief (Administration), Water Resources Department, Vijayawada, A.P. (Convenor)
3. Special Commissioner Command Area Development Authority, Andhra Pradesh, Vijayawada.
4. Director Ground Water and Water audit department, Andhra Pradesh, Vijayawada.
5. Additional Secretary/Joint Secretary to Government, Water Resources (Ser I) Dept. A.P. Secretariat, Velagapudi, Amaravathi, Guntur District, A.P.
6. The Chairman, Screening Committee, Special Commissioner, Command Area Development Authority, Andhra Pradesh, Vijayawada, A.P.(1 to 6 by RPAD)
7. One CC to Smt. A Chaya Devi Advocate [OPUC]
8. Two CCs to GP for Services-III, High Court of Andhra Pradesh. [OUT]
9. One spare copy

SP

HIGH COURT

RRRJ

DATED: 17/06/2020

NOTE: LIST THE MATTER ON 23.06.2020 ALONG WITH W.P.NO.9215 OF 2020 IN MOTION LIST.

ORDER

WP.No.9993 of 2020

DIRECTION

