

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

TUESDAY, THE EIGHTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 9002 OF 2023



Between:

1. Dr. S. Ramesh Kumar s/o S. Suryanarayana,
Aged 45 years, working as Superintendent,
Bal Kendra, Rajam, Srikakulam District.
2. V. Shankara Rao, s/o V. Narayana Rao,
aged 55 years, working as Drawing
Instructor, in Bal Kendra, Rajam,
Srikakulam District.
3. P.V.L.Ratnam, d/o P. Rama Krishna
aged 51 years, working as Music
Instructor, in Bal Kendra, Rajam, Srikakulam District.
4. V.Taraka Rama Rao,
s/o Kumar Rao, aged 39 years,
working as Dance Instructor
in Bal Kendra, Rajam, Srikakulam District.
5. S.Guna Raja Sekhar, s/o Durg Rao,
aged 27 years, working as Tabala
Instructor, in Bal Kendra, Rajam, Srikakulam District.
6. Sher Singh, s/o Naval Singh,
aged 52 years, working as Superintendent
Art Instructor, Vizianagaram Bal Kendra,
Vizianagaram District.
7. K. Sai Sudhakar, s/ Simhachalam,
aged 35 years, working as Music
Instructor, in Vizianagaram Bal Kendra,
Vizianagaram District.
8. Y. Anantha Prasad,
S/o Appa Rao, aged 38 years,
working Drawing Instructor
in Bal Kendra Vizianagaram,
Vizianagaram District.

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9. K. Kumar Raja, s/o Appa Rao,
aged 35 years, working as Tabala
Instructor, Bal Kendra, Vizianagaram.,
Vizianagaram District.
10. P. Benard Kumar, s/o Asuppadham,
aged 50 yeas, working as Superinendent,
Drawing, Bala Kendra, Palakollu,
West Godavari District.
11. P. Srinivasulu, s/o Venkatarao,
aged 39 years, working as Dance
instructor, in Bala Kendra, Krishna
Vijayawada, Krishna District.
12. J. Vasu, s/o Chandra Mouli,
aged 52 years, working as Drawing
Instructor, in Guntur Bala Kendra,
Guntur District.
13. I. Kamal Basha, s/o I. Kamaldaian
aged 46 years, working as Drawing
Instructor, in Bala Kendra, YSR Kadapa.
14. R. Muneeswar, s/o Munaiah,
aged 58 years, working as
Karate Instructor, Bala Kendra
YSR Kadapa.
15. P. Hari Krishna, s/o Palla
Narayana, aged 36 years,
working as Weaving Instructor,
Bala Kendra, YSR Kadapa.
16. E. Prasad Reddy
s/o E. Chinnapu Reddy,
aged: 58 years, working as
Superintendent , Bala Kendra
Nandyal, Nandyala District.
17. M. Naga Raju, s/o Bala Muniswami
aged 56 years, working as Drawing
Instructor, in Bala Kendra, Nandyal,
Nandyala District.

(5)

18. C. Narasimhulu, s/o C. Venkata Ramana
aged 45 years, working as Dance
Instructor, in Bala Kendra, Nandyal,
Nandyala District.
19. K. Sudhakar, S/o K. Soma
Sankaraiah, aged 40 years,
working as Tabala Instructor
Bala Kendra, Nandyal, Nandyala.
20. V. Prasanna Kumari,
W/o Mohan Rao, aged 40 years,
working as Tailoring Instructor
Bala Kendra, Vizianagaram.
Vizianagaram District.
21. Sita Kumari, w/o S. Singh aged 45 years,
working as Tailoring Instructor,
in Bala Kendra, Vizianagaram.
22. P. Surya Kumari, w/o Rao,
aged 51 years, working as
Dance Instructor, Bala Kendra
Vizianagaram, Vizianagaram District.
23. R. Prabhavati, w/o P. Chiranjeevi
aged 50 years, working Superintendent
Bala Kendra, Tirupati, Tirupati District.
24. T. Aruna, w/o L. Sridhar Babu, aged 44
years, working as Tailoring Instructor,
in Bala Kendra, YSR Kadapa.
25. G. Suneetha w/o Guru Kumar,
aged 50 years, working as Superintendent
Tailoring in Bala Kendra, YSR Kadapa.
26. K. Tirupalu, w/o Venkata Ramana,
aged 42 years, working as Drawing
Instructor, in Bala Kendra, YSR Kadapa.
27. P.V. Durga Lakshmi, w/o Ramana,
aged 50 years, working as Tailoring
Instructor, in Bala Kendra, Vijayawada,
Krishna District.

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28. I. Narasimhulu, s/o Lakshmaiah,
aged 49 years, Working as Attender,
Bala Kendra, YSR Kadapa.
29. M. Srinivasa Raju, s/o Bala Muniswami,
aged 42 years, working as Attender
Bala Kendra, Nandyal, Nandyal District.
30. M. Harathi s/o M. Chitti Babu,
aged 39 years, working as Attender
in Bala Kendra, Vizianagaram.
Vizianagaram District.
31. B. Chinnari W/o B. Surya Rao, agee 55 years,
working as Sweeper in Bala Kendra,
Vizianagaram, Vizianagaram District.
32. K. Prema Latha, d/o K. Tsaacmillion,
aged 55 years, working as Attender
in Bala Kendra Vizianagarm , Vizianagaram Dist.
33. M. Sriramulu s/o K. Suraiah
aged 45 years, working as Sweeper,
in Bala Kendra, Vizianagaram, Vizianagaram
District.
34. M.Kalavathi, w/o M. Satyanarayana,
aged 56 years, working as Sweeper
Bala Kendra, Eluru, West Godavari District.
35. P. Harathi, w/o Krishna, aged 40 years,
working as Sweeper, Bala Kendra Tirupathi,
Tirupathi District.
36. G. Gowri Devi, w/o Venkata Sami,
aged 56 years, working as Sweeper
Bala Kendra, YSR Kadapa.
37. Sk. Hussain Bee, w/o S. Hussain Peera,
aged 32 years, working as Sweeper
Bala Kendra Nandyal, Nandyal District.

..Petitioner/s

AND

1. The State of Andhra Pradesh, rep by its
Special Chief Secretary, School Education
Department, A.P. Secretariat, Velagapudi,
Amaravathi, Guntur District.

2. The Director and Special Officer,, Jawahar Bal Bhavan, A.P., Door No. 331, 3rd Lane, Seetharama Nagar, Guntur, Guntur District, Amaravathi.
3. The State Project Director,, A.P. Samagra Shiksha, Amaravati, Padamata, Vijayawada.
4. The Commissioner, , School Education Department, State of A.P. Ibrahimpatnam, Kishna District.

Respondent

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 declare the impugned Procs.Rc.No.1809986 /APSS/Admin/2023, dated. 15-3-2023, issued by the 3rd respondent, and G.O.Rt.No. 125 School Education (Pog.III) Department, Dated. 25-7-2022, issued by the 1st respondent, for Redeployment of the petitioners from Bala Kendras to A.P.Samagra Shiksha without their being any provision of law, as illegal arbitrary in contrary to the Establishment Rules of Bal Bhavan/Bal Kendra issued vide G.O.Ms.No. 201 Education Department, Dated. 12-3-1980, and Subordinate Service Rules of Bala Kendras and Bal Bhavans issued vide G.O.Ms.No. 167, Education (Prog.II) Department, Dated. 8-6-1998, now relieving the petitioners before implementing the orders passed in W.P.No. 36214 of 2018, dated. 29-8-2022, in pursuance of the impugned proceedigs dated. 15-3-2023, accordingly set aside the same, consequently direct the respondents to continue the petitioners in Bala Kendras until they upgraded as Bal Bhavan employees in terms of the orders passed in W.P.No. 36214 of 2018, dated. 29-8-2022.

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 grant stay all further proceedings in pursuance of impugned Proceedings Rc.No. 1809986 /APSS/Admin/2023, dated. 15-3-2023 issued by the 3rd respondent along with G.O.Rt.No. 125 School Education (Prog.III) Department, Dated. 25-7-2022 issued by the 1st respondent, including redeployment of the petitioners to A.P. Samagra Shiksha, Amaravathi, Pending disposal of WP 9002 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 RAMALINGESWARA RAO KOCHARLA KOTA Advocate for the Petitioners and of GP FOR SERVICES-III for the Respondent Nos. 1,2,4 and Smt. SUDHA RANI, Standing Counsel for Respondent No.3 and the Court made the following.

ORDER

“At request of learned counsel for the petitioner, list the matter on 05.05.2023.

Till then, status-quo obtaining as on today in respect of the petitioners herein shall be maintained by respondent Nos. 1 & 3."

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

For A SECTION OFFICER

To,

1. The Special Chief Secretary, School Education Department, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Director and Special Officer,, Jawahar Bal Bhavan, A.P., Door No. 331, 3rd Lane, Seetharama Nagar, Guntur, Guntur District, Amaravathi.
3. The State Project Director,, A.P. Samagra Shiksha, Amaravati, Padamata, Vijayawada.
4. The Commissioner, School Education Department, State of A.P. Ibrahimpatnam, Kishna District. (Addressess 1 to 4 by RPAD)
5. One CC to SRI. RAMALINGESWARA RAO KOCHARLA KOTA Advocate [OPUC]
6. Two CCs to GP FOR SERVICES-III ,High Court Of Andhra Pradesh. [OUT]
7. One CC to Smt. SUDHA RANI, Standing Counsel [OPUC]
8. One spare copy.

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HIGH COURT

NVJ

DATED:18/04/2023

POST ON 05.05.2023

ORDER

WP.No.9002 of 2023

STATUS QUO

