

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

MONDAY, THE FIFTEENTH DAY OF JULY  
TWO THOUSAND AND TWENTY FOUR



PRESENT

THE HONOURABLE SMT JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO : 7900 OF 2018

Between:

D. Lakshmi Narayana, S/o. D. Ankappa, Aged about 59 years, worked as Senior Assistant, RVR & JC College of Engineering, Guntur Dt, R/o.4-19-3/A, 2<sup>nd</sup> Line, Vijayapuri, JKC College Road, Guntur District.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Higher Education Department, AP Secretariat buildings, Velagapudi, Amaravathi, Guntur District, A.P.
2. The Commissioner, State Board of Technical Education and Training, M.N.R.Bhavan, Vijayawada, Krishna District, A.P.
3. All India Council for Technical Education, (A Statutory Body of the Govt. of India) Indira Gandhi Sports Complex, I.P.Estate, New Delhi - 2.
4. AP Admission and Fee Regulatory Committee, (AFRC) 3<sup>rd</sup> Floor, Sree Mahendra Enclave, NRI Block (C-Block), NH-16, Tadepalli, Guntur District - 522501, AP.

5. Nagarjuna Educational Society (NES), Guntur, office at Chandramouli Puram, Chowdavaram, Guntur, Guntur District, rep by its Secretary and Correspondent.

6. RVR and JC College of Engineering, Chandramoulipuram, Chowdavaram, Guntur - 522019, Guntur District, Andhra Pradesh.

### ...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 an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus, (i) declaring the action of the respondents 1 to 5 in allowing respondents No.5 and 6 to retire the petitioner on attaining 58 years of age, though the age of superannuation fixed under AICTE Regulations as 62 years, and 60 years as per the AFRC guidelines and amended section 78-A of the A.P. Education Act 1982, as illegal, irregular, arbitrary, discrimination, un-constitutional, and violative of fundamental rights guaranteed under Articles 14 and 16 of Constitution of India and (ii) consequently direct the Respondents 5 and 6 to continue the Petitioner in service as Senior Assistant in 6<sup>th</sup> Respondent Institution till he attain the age of superannuation i.e., 62 years of age if AICTE rules are applied or up to 60 years as per the AFRC guidelines and Section 78-A of the A.P. Education Act 1982 in case if the petitioner is treated as non-teaching staff.

### IA NO: 1 OF 2018

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 Respondents 1 to 4 to direct the 5<sup>th</sup> and 6<sup>th</sup> respondents to continue the Petitioner in service as Senior Assistant until the age of 62 years in view of AICTE regulations 2010, or 60 years as per

the AFRC guidelines and as per the amended section 78-A of the A.P. Education Act 1982, pending disposal of the main Writ Petition.

**Counsel for the Petitioner : Ms. BHANU PRIYA G**

**Counsel for the Respondent Nos.1, 2 : GP FOR HIGHER EDUCATION**

**Counsel for the Respondent Nos.3 : SRI K. RAMAKANTH REDDY**

**Counsel for the Respondent No.4 : SRI C SUDESH ANAND**

**Counsel for the Respondent No.5 : NONE APPEARED**

**Counsel for the Respondent No.6 : SRI CHALLA GUNARANJAN**

**The Court made the following Order :**





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

[3396]

MONDAY, THE FIFTEENTH DAY OF JULY  
TWO THOUSAND AND TWENTY FOUR

PRESENT  
THE HONOURABLE SMT JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 7900/2018

Between:

D.Lakshmi Narayana,

...PETITIONER

AND

The State of Andhra Pradesh and others

...RESPONDENT(S)

Counsel for the Petitioner:

1.BHANU PRIYA G

Counsel for the Respondent(S):

1.C SUDESH ANAND

2.K RAMAKANTH REDDY

3.CHALLA GUNARANJAN

4.GP FOR HIGHER EDUCATION (AP)

The Court made the following:

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India, seeking the indulgence of the Court with the following prayer:

*".....to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 1 to 5 in allowing the respondent Nos.5 and 6 to retire the petitioner on attaining 58 years of age, though the age of superannuation fixed under AICTE Regulations as 62 years and 60 years as per the AFRC guidelines and amended section 78-A of the A.P.Education Act, 1982 as illegal, irregular, arbitrary, discrimination, unconstitutional and violative of fundamental rights guaranteed under Articles 14 and 16 of the Constitution of India; and consequently direct the Respondent Nos.5 and 6 to continue the petitioner in service as Senior Assistant in 6<sup>th</sup> respondent institution till he attain the age of superannuation i.e. 62 years of age of AICTE rules are applied; or upto 60 years as per the AFRC guidelines and Section 78-A of the A.P.Education Act, 1982 in case of the petitioner is treated as non teaching staff".*

2. Ms. G.Bhanu Priya, learned counsel for the Petitioner would submit that no further orders are required in this matter and the petition may be disposed of, since relief has become infructuous.

3. Recording the same, the Writ Petition is dismissed as infructuous.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

**//TRUE COPY//**

SD/- P. VINOD KUMAR  
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. One CC to Ms. BHANU PRIYA G Advocate [OPUC]
2. Two CCs to GP FOR HIGHER EDUCATION, High Court Of Andhra Pradesh. [OUT]
3. One CC to SRI K. RAMAKANTH REDDY Advocate [OPUC]
4. One CC to SRI C SUDESH ANAND Advocate [OPUC]
5. One CC to SRI CHALLA GUNARANJAN Advocate [OPUC]
6. **Three CD Copies**

DPBR

**HIGH COURT**

**DATED:15/07/2024**

**ORDER**

**WP.No.7900 of 2018**



**DISMISSING THE WP AS INFRUCTUOUS**