



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

WEDNESDAY, THE SIXTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY ONE

**:PRESENT:**

**THE HONOURABLE SRI JUSTICE D.V.S.S.SOMAYAJULU**

**WRIT PETITION NO: 17560, 17402, 17405, 17461, 17508, 17607, 17612,  
17616, 17624, 17702, 17996, 17997, 18176, 18211, 19337, 19344,  
19672, 20452, 20570, 20699, 20996, 21329, 21332, 21162 and  
21529 of 2021**

**WRIT PETITION NO: 17560 OF 2021**

**Between:**

- A. Venkata Narayana Rao, S/o. Venkata Rao 67 years, Occ Retired  
School assistant Telugu Pandit, T.W.A. High School, chittempadu, Koyyuru  
Mandal, Visakhapatnam, District R/o. Plot No.8-101/39, Satyakrishna  
Plaza Sai Soudha Nagar, sujatha Nagar, Visakhapatnam-530051

**Petitioner**

**AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General, (A & E), Andhra Pradesh, Saifabad, Hyderabad-500004
3. The District Educational Officer, Visakhapatnam, Visakhapatnam District.
4. The District Treasury Officer, Visakhapatnam, Visakhapatnam District.
5. The Sub Treasury Officer Chinthapalli, Chinthapalli Mandal, Visakhapatnam District.
6. The Sub Treasury Officer, Seethammadara, Visakhapatnam post and District.
7. The Correspondent, T.W.A. High School, Chittempadu, Koyyuru Mandal, 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding/recovery an amount of Rs. 1,77,843/-from Petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, dt.10.08.1983 in violation of the full bench judgment of the Hon'ble High Court in W.P. No. 21457 of 2004 reported 2010 4 ALT 145 is as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs.1,77,843/- as per to the Division Bench orders of this Hon'ble court passed in W.P. No. 33315 of 2013 Dt. 22.06.2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and Batch dt. 16.04.2021 along with interest 10 % on delay payment as per section 7(3) of the payment of Gratuity act 1972 from the date on which the gratuity becomes payable till such payment is made.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof order of the High Court dated 22.09.2021 and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1 & 3, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

**WRIT PETITION NO: 17402 OF 2021**

**Between:**

A.V. Sri Krishna Devarayulu, S/o. A. Subba Raju, aged about 66 years,  
Occ Retired Grade -II Telugu Pandit, Aided Upper Primary School,  
Mosque Street, VIth Ward, Kavali Post Mandal, SPSR Nellore District,  
R/o. D.No. 7-14-41, Kamatvari Street, Kavali Post Mandal,  
SPSR Nellore District - 524201.

**Petitioner**

**AND**



1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General, A and E, Andhra Pradesh saifabad, Hyderabad - 500004.
3. The District Educational Officer, Nellore, SPSR Nellore District.
4. The District Treasury Officer, Nellore, SPSR Nellore District.
5. The Sub Treasury Officer, Kavali, SPSR Nellore District.
6. The Correspondent, Aided Upper Primary School, Mosque Street, VIth Ward, Kavali Post Mandal, SPSR Nellore District -524201.

### 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, to declare the action of the respondents in withholding/recovery an amount of Rs. 4,35,776/- from petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated 10-08-1983 in violation of the full bench judgment of the Hon'ble High court in W.P. No. 21457 of 2004 reported 2010 4 ALT 145 is as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 4,35,776/- as per to the Division Bench orders of this Hon'ble Court passed in W.P. No. 33315 of 2013 dated 22.06.2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. 33594 of 2013 and batch dt. 16.4.2021 along with interest 10 percent on delay payment as per section 7 (3) of the payment of Gratuity act 1972 from the date on which the gratuity becomes payable till such payment is made.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1 & 3, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

### **WRIT PETITION NO: 17405 OF 2021**

#### **Between:**

B. Bullemma, W/o. N. Mohana Rao, aged about 69 years, Occ Retired Grade -II Hindi Pandit, S.A.R.R.M. Aided High School, Vittalnagar, Chirala, Prakasam District, R/o. H.No. 11-2-10/1, Mutyalapet, Perala Post, Chirala Mandal, Prakasam District - 523157

### Petitioner

#### **AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General (A and E), Andhra Pradesh, Saifabad, Hyderabad -500004.
3. The District Educational Officer, Prakasam, Prakasam District.
4. The District Treasury Officer, Prakasam, Prakasam District.
5. The Sub Treasury Officer, Chirala, Prakasam District.
6. The Correspondent, S.A.R.R.M. Aided High School, Vittalnagar, Chirala, Prakasam District - 523157.

### 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, to declare the action of the respondents in withholding/recovery an amount of Rs 1,88,088/- from petitioner's retirement gratuity as excess paid under G.O. Ms No 330 Education Department, Dated 10-08-1983 in violation of the full bench judgment of the Honble High Court in W.P. No. 21457 of 2004 reported 2010 4 ALT 145 is as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 1,88,088/- as per to the Division Bench orders of this Hon ble Court passed in W.P. No. 33315 of 2013 Dated 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No.33594 of 2013 and batch dated 16.04.2021 along with



interest @ 10 percent on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1 & 3, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

### **WRIT PETITION NO: 17461 OF 2021**

#### **Between:**

G. V. Hanumantha Rao, S/o. G.K.D. Prasad, aged about 66 years,  
Occ. Retired School Assistant Hindi Pandit, Don Bosco High School (Boys),  
Nandigama Post and Mandal, Krishna District, R/o. H.No. 10-27,  
Sri Sai Data Nilayam, Ramnagar, Gannavaram, Krishna District

**Petitioner**

#### **AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General (A&E), Andhra Pradesh, Saifabad, Hyderabad - 500004.
3. The District Educational Officer, Krishna, Krishna District.
4. The District Treasury Officer, Krishna, Krishna District.
5. The Sub Treasury Officer, Nandigama, Krishna District.
6. The Correspondent, Don Bosco High School (Boys), Nandigama Post and Mandal, Krishna 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding/recovery an amount of Rs. 3,94,668/- from petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated. 10-08-1983 in violation of the full bench judgment of the Honourable High Court in W.P. No. 21457 of 2004 reported 2010 4 ALT 145 is as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of recovered/withheld gratuity amount of Rs. 3,94,668/- as per to the Division Bench orders of this Honourable Court passed in W.P. No. 33315 of 2013 Dated. 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated. 16-04-2021 along with interest @10 percent on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1 & 3, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

### **WRIT PETITION NO: 17508 OF 2021**

#### **Between:**

K. Venkateswarlu, S/o. Chenchu SubbaRao, aged about 68 years,



Occ Retired Grade I Telugu Pandit, A.S. High School, Jagarlamudi,  
Yaddanapudi Mandal, Prakasam District, R/o. H.No. 13-1,  
East Peddivaripalem, Parchur Mandal, Prakasam District.

**Petitioner**

**AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account, General (A & E) Andhra Pradesh Saifabad, Hyderabad-500004.
3. The District Educational Officer, Prakasam, Prakasam District.
4. The District Treasury Officer, Prakasam, Prakasam District.
5. The Sub Treasury Officer, Cheerala, Prakasam District.
6. The Correspondent, A.S. High School, Jagarlamudi, Yaddanapudi Mandal, Prakasam 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding/recovery an amount of Rs. 2,15,789/- from petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated 10-08-1983 in violation of the full bench judgment of the Hon'ble High Court in W.P. No. 21457 of 2004 reported in 2010 4 ALT 145 is as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 2,15,789/- as per the Division Bench orders of this Hon'ble Court passed in W.P. No. 33315 of 2013 Dated 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated 16-04-2021 along with interest @ 10 % on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1 & 3, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

**WRIT PETITION NO: 17607 OF 2021**

**Between:**

V. Vijaya Lakshmi, S/o. V. Sriramulu Reddy, aged about 65 years,  
Occ. Retired Grade -II Hindi Pandit, A.C.M. Aided Upper Primary School,  
Atmakur Town, Atmakur Mandal, SPSR Nellore District, R/o. D.No. 11-111A,  
Challa Street, Atmakur Town and Mandal, SPSR Nellore District - 524322.

**Petitioner**

**AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General (A and E), Andhra Pradesh, Saifabad, Hyderabad - 500004.
3. The District Educational Officer, Nellore, SPSR Nellore District.
4. The District Treasury Officer, Nellore, SPSR Nellore District.
5. The Sub Treasury Officer, SPSR Nellore District at Atmakur.
6. The Correspondent, A.C.M. Aided Upper Primary School, Atmakur Town and Mandal, SPSR Nellore District-5243

**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, to declare the action of the respondents in withholding/recovery an amount of Rs. 5,31,254/- from Petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated. 10-08-1983 in violation of the full bench judgment of the Hon'ble High Court in W.P. No. 21457 of 2004 reported in 2010 4 ALT 145



is as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 5,31,254/- as per the Division Bench orders of this Hon'ble Court passed in W.P. No. 33315 of 2013 Dated. 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated. 16-04-2021 along with interest @10 % on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1 & 3, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

### **WRIT PETITION NO: 17612 OF 2021**

#### **Between:**

R. Rama Chandra Reddy, , S/o. R. Panchala Reddy, aged about 68 years,  
Occ- Retired Grade -II Hindi Pandit, A.L.C.M. High School, Naidupeta,  
Naidupeta Mandal, SPSR Nellore District, R/o. H.No. 3-2-65/1,  
Ramakrishnapuram Street, Near Andhra Bank, Naidupet,  
SPSR Nellore District - 524126.

**Petitioner**

#### **AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General (A&E), Andhra Pradesh, Saifabad, Hyderabad-500004.
3. The District Educational Officer, Nellore, SPSR Nellore District.
4. The District Treasury Officer, Nellore, SPSR Nellore District.
5. The Sub Treasury Officer, Naidupet, SPSR Nellore District.
6. The Correspondent, A.L.C.M. High School, Naidupeta, Naidupeta Mandal, SPSR Nellore District-524126

**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 to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of, the respondents in withholding/recovery an amount of Rs. 3,26,178/-from Petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated- 10-08-1983 in violation of the full bench judgment of the Hon'ble High Court in W.P. No. 21457 of 2004 reported I 2010 4 ALT 145 as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 3,26,178/- as per to the Division Bench orders of this Hon'ble Court passed in W.P. No. 33315 of 2013 Dated- 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated- 16-04-2021 along with interest@ 10 % on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1 & 3, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

### **WRIT PETITION NO: 17616 OF 2021**

#### **Between:**

1. V. Venkata Rao (Died), S/o. Ramana Rao, Retired School Assistant Telugu Pandit, Taylor High School, Narsapur, Narsapur Mandal, West Godavari District  
Represented by its Lr Petitioner No.2



2. M. Subba Lakshmi, W/o. Late V. Venkata Rao, Retired School Assistant Telugu Pandit, Taylor High School, Narsapur, Narsapur Mandal, West Godavari District, Aged about 65, Occ. Employee, R/o. Soubhagya Laxmi Temple Opp. Road, Had Hara Nilayam 402, Satrampadu, Eluru, West Godavari District 534007

**Petitioners**

**AND**

1. The State Of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General, (A and E), Andhra Pradesh, Saifabad, Hyderabad 500004.
3. The District Educational Officer, West Godavari, West Godavari District.
4. The District Treasury Officer, West Godavari, West Godavari District.
5. The Sub Treasury Officer, Eluru, West Godavari District.
6. The Correspondent, Taylor High School, Narsapur, Narsapur Mandal, West Godavari 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding/recovery an amount of Rs. 1,06,135/- from my husband's (petitioner No.1) retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated- 10-08-1983 in violation of the full bench judgment of the Hon'ble High Court in W.P. No. 21457 of 2004 reported in 2010 4 ALT 145 is as illegal, arbitrary and unconstitutional and consequently declare that the petitioner No.2 who is a legal heir of the petitioner No.1 is now entitled for repayment of the recovered/withheld gratuity amount of Rs. 1,06,135/- as per the Division Bench orders of this Hon'ble Court passed in W.P. No. 33315 of 2013 Dated- 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated 16-04-2021 along with interest @10percentage on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made and also direct the respondents to refund the above said amount to the Petitioner No.2 who is a legal heir of petitioner No.1

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1,3 & 6, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

**WRIT PETITION NO: 17624 OF 2021**

**Between:**

S. Soma Sundaram, S/o. S. Subramanyam, aged about 68 years, Occ- Retired Hindi Pandit, Deena bandu Aided Tamil High School, Deenabandupuram, Palasamudram Mandal, Chittoor District, R/o. H.No. 25/32, Seelakara Street, Puttur, Puttur Mandal, Chittoor District 517583.

**Petitioner**

**AND**

1. The State of Ap, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General, (AandE), Andhra Pradesh, Saifabad, Hyderabad 500004.
3. The District Educational Officer, Chittoor, Chittoor District.
4. The District Treasury Officer, Chittoor, Chittoor District.
5. The Sub Treasury Officer, Puttur, Chittoor District.
6. The Correspondent, Deena bandu Aided Tamil High School, Deenabandupuram, Palasamudram Mandal, Chittoor 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding/recovery an



amount of Rs. 2,50,000/-from petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated- 10-08-1983 in violation of the full bench judgment of the Hon'ble High Court in W.P. No. 21457 of 2004 reported 2010 4 ALT 145 as illegal, arbitrary and unconstitutional and consequently declare that that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 2,50,000/- as per to the Division Bench orders of this Hon'ble Court passed in W.P. No. 33315 of 2013 Dated- 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated- 06-04-2021 along with interest @10 percentage on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1 & 3, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

### **WRIT PETITION NO: 17702 OF 2021**

#### **Between:**

K. Louramma, W/o. Yennam. Damiyan Reddy, aged about 67 years,  
Occ- Retired Grade -II Hindi Pandit, St. ANN's English Medium School,  
Pulivendla, Y.S.R. Kadapa District, R/o. D.No. 1-3-281,  
Chenna Reddy Colony, Pulivendula, Y.S.R. Kadapa District - 516390

**Petitioner**

#### **AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General (AandE), Andhra Pradesh, Saifabad, Hyderabad 500004.
3. The District Educational Officer, Kadapa, Y.S.R. Kadapa District.
4. The District Treasury Officer, Kadapa, Y.S.R. Kadapa District.
5. The Sub Treasury Officer, Pulivendula, Y.S.R. Kadapa District.
6. The Correspondent, ST. ANN's English Medium School, Pulivendla, Y.S.R. Kadapa District - 516390.

**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, to declare the action of the respondents in withholding/recovery an amount of Rs. 4,00,497/-from Petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated- 10-08-1983 in violation of the full bench judgment of the Hon'ble High Court in W.P. No. 21457 of 2004 reported 2010 4 ALT 145 is as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 4,00,497/- as per the Division Bench orders of this Hon'ble Court passed in W.P. No. 33315 of 2013 Dated- 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated- 06-04-2021 along with interest @10 percentg on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1 & 3, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.



**WRIT PETITION NO: 17996 OF 2021****Between:**

P. Vijayalakshmi, W/o. B. Subba Rao, aged about 68 years,  
Occ. Retired Grade-I Upgraded Telugu Pandit, S.P.S. High School,  
Lakshmi Puram, Guntur, Guntur District, R/o. Venkata Ramana Estates,  
Flat No.312, 3rd Block, Vidhyanagar 4th Line, Guntur, Guntur District - 522007.

**Petitioner****AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education, Secretariat, Amaravathi at Vijayawada.
2. The Principal Account General (A & E), Andhra Pradesh, Saifabad, Hyderabad - 500004.
3. The District Educational Officer, Guntur, Guntur District,
4. The District Treasury Officer, Guntur, Guntur District-522001
5. The Sub Treasury Officer, Guntur, Guntur Dist-522001
6. The Correspondent, S.P.S. High School, Lakshmipuram, Guntur, Guntur 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondent authorities in not refund the recovered/withheld of Rs. 2,58,237/- as per act 1 of 2005 Dated. 11-01-2005 which was already and actually paid in terms of G.O. Ms. No. 330 Edn. Dt. 10-8-1983 in spite of knowing about the fact that this subject matter attained finality in W.P. No. 33315 of 2013 dated 22-06-2020 as per full bench judgment in W.P. No. 21457 of 2004 reported in 2010(4) ALT 1 (FB) as being illegal, arbitrary and un constitutional and consequently direct the respondents to refund the above said recovered/withheld amount of Rs. 2,58,237/- to the petitioner along with interest there on @10 percent P.A. in the light of Apex Court judgment in H. Gangahanume Gowda Vs Karnataka Agro Industries Corporation Ltd. reported in (2003 0 Supreme (SC) 140) and to grant such other relief or reliefs

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1 & 3, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

**WRIT PETITION NO: 17997 OF 2021****Between:**

1. K SATYANARAYANA, S/o. Late Appala swamy, aged about 66 years, Occ. Retired Head Master, Z.P. High School, Ramavaram, Anandapuram Mandal, Visakhapatnam District. R/o. D. No. 9-104, Gandhi Nagar, Near G.V.M.C. Zonal Office, Adivivaram Road, Simhachalam, Visakhapatnam District - 530028.

**Petitioner****AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General (AandE), Andhra Pradesh, Saifabad, Hyderabad - 500004.
3. The Deputy Educational Officer, Visakhapatnam, Visakhapatnam District.
4. The District Treasury Officer, Visakhapatnam, Visakhapatnam District.
5. The Sub Treasury Officer, Bheemunipatnam, Visakhapatnam District.
6. The Head Master, Z.P. High School, Ramavaram, Anandapuram Mandal, Visakhapatnam 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding/recovery an amount of Rs. 2,28,580/- from petitioner's retirement gratuity as



excess paid under G.O. Ms. No. 330, Education Department, Dated. 10-08-1983 in violation of the full bench judgment of the Honourable High Court in W.P. No. 21457 of 2004 reported in 2010 4 ALT 145 is as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered withheld gratuity amount of Rs. 2,28,580/- as per the Division Bench orders of this Honourable Court passed in W.P. No. 33315 of 2013 Dated. 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated. 06-04-2021 along with interest @10 percent on delay payment as per section 7(3) of The Payment of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1,3 and 6, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

### **WRIT PETITION NO: 18176 OF 2021**

#### **Between:**

M. Subba Lakshmi, W/o. Late V. Venkata Rao, 65y Occ. Retired School Assistant, Telugu Pandit, Z.P. High School, Kalaparru, Pedapadu Mandal, W.Godavari District, r/o. 402, Hari Hara Nilayam, Opp. Road to Soubhagya Laxmi Temple, Satrampadu, Eluru, West Godavari Dt.

**Petitioner**

#### **AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, amaravathi At Vijayawada.
2. The Principal Account General, A and E, Andhra Pradesh, Saifabad, Hyderabad-500004.
3. The District Educational Officer, , West Godavari, West Godavari District.
4. The District Treasury Officer, , West Godavari, West Godavari District.
5. The Sub Treasury Officer, Eluru, West Godavari District.
6. The Head Master, Z.P.H. School, Kalaparru, Pedapadu Mandal, West Godavari 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding/recovery an amount of Rs. 2,21,893/-from petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated 10-08-1983 in violation of the full bench judgment of the Hon'ble High Court in W.P. No. 21457 of 2004 reported in ALT 145 is as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs.2,21,893/- as per the Division Bench orders of this Hon'ble Court passed in W.P. No. 33315 of 2013 Dt.22.06.2020 and Division Bench orders in w.P. No. 31507 of 2013 and Batch and Divion Bench orders in w.P. No.33594 of 2013 and batch dt.16.04.2021 along with interest at 10 percent on delay payment as per section 7(3) of the payment of Gratunity Act 1972 from the date on which the gratuity becomes payable till such payment is made.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1,3 & 6, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

### **WRIT PETITION NO: 18211 OF 2021**

#### **Between:**

C. Guru Prasad, S/o. C. Chinna Rama Subbanna, aged about 63 years, Occ Retired Lecturer (Hindi), P.S.C. and K.V.S.C. Government Degree College, Nandyal, Kurnool District, R/o. H.No. 3-63, Ayyagari Street, Dommarnandyala, Jammalamadugu, Kadapa District - 516431.



**Petitioner****AND**

1. The State of Andhra Pradesh, The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General (A & E), Andhra Pradesh, Saifabad, Hyderabad - 500004.
3. The Regional Joint Director, of Collegiate Education, Kadapa, YSR Kadapa District.
4. The District Treasury Officer, Kurnool, Kurnool District.
5. The Sub Treasury Officer, Nandyal, Kurnool District.
6. The Principal, P.S.C. and K.V.S.C. Government Degree College, Nandyal, Kurnool District - 518502.

**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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding/recovery an amount of Rs. 3,27,970/- from petitioners retirement gratuity as excess paid under G.O Ms No 330, Education Department, Dated 10-08-1983 in violation of the full bench judgment of the Hon'ble High Court in W.P. No. 21457 of 2004 reported in 2010 4 ALT 145 is as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 3,27,970/- as per the Division Bench orders of this Honble Court passed in W.P. No 33315 of 2013 Dated 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated 06-04-2021 along with interest 10 percent on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1,3 & 6, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

**WRIT PETITION NO: 19337 OF 2021****Between:**

K.V. Nagaiah, , S/o. K. Rama Sastry, aged about 66 years, Occ. Retired Grade-II Head Master, Z.P. High School, Uttaravalli Post, Merakamudidam Mandal, Vizianagaram District, R/o. D.No. 160, Street No. 230, Milatory Colony, Bobbili, Vizianagaram District- 535558.

**Petitioner****AND**

1. The State of Andhra Pradesh, Represented by Its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General (A & E), , Andhra Pradesh, Saifabad, Hyderabad 500004.
3. The Deputy Educational Officer, Bobbili, Vizianagaram District.
4. The District Treasury Officer, Vizianagaram, Vizianagaram District.
5. The Sub Treasury Officer, Terlam, Vizianagaram District.
6. The Head Master, Z.P. High School, Uttaravalli Post, Merakamudidam Mandal, Vizianagaram District - 535124.

**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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding/recovery an amount of Rs. 2,16,225/- from petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated. 10-08-1983 in violation of the full bench judgment of the Hon'ble High Court in W.P. No. 21457 of 2004 reported 2010 4 ALT 145 as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 2,16,225/- as per the Division Bench orders of this Hon'ble Court passed in W.P. No. 33315 of 2013 Dated. 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated. 16-04-2021 along with interest @10per on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made and to pass

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1,3 & 6, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

### **WRIT PETITION NO:19344 OF 2021**

#### **Between:**

M. Ramakrishna Rao, S/o. V. Viswa Soma Sekharam, aged about 66 years,  
Occ. Retired School Assistant (Telugu), S.J.Z.P. High School,  
Goraganamudi, Palakoderu Mandal, West Godavari District,  
R/o. D.No. 2-52, Taamara cheruvu gattu, Pennada, Palakoderu Mandal,  
West Godavari  
District - 534243.

**Petitioner**

#### **AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General (A & E), Andhra Pradesh, Saifabad, Hyderabad 500004.
3. The District Educational Officer, West Godavari, West Godavari District
4. The District Treasury Officer, West Godavari, West Godavari District.
5. The - Sub Treasury Officer, Bhimavaram, West Godavari District.
6. The Head Master, S.J.Z.P. High School, Goraganamudi, Palakoderu Mandal, West Godavari 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding/recovery an amount of Rs. 99,781/- from petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated. 10-08-1983 in violation of the full bench judgment of the Honourable High Court in W.P. No. 21457 of 2004 reported 2010 4 ALT 145 is as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 99,781/- as per to the Division Bench orders of this Honourable Court passed in W.P. No. 33315 of 2013 Dated. 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated. 06-04-2021 along with interest @10 % on delay payment as per section 7(3) of The Payment of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made.



The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1 & 3, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

### **WRIT PETITION NO: 19672 OF 2021**

#### **Between:**

M.J.D. Savitri, W/o. A.V.J. Murthy, aged about 68 years, Occ Retired School Assistant (Telugu), Z.P. High School, Narava, Pendurti Mandal, Visakhapatnam District. R/o. Plot No.104, E.Y. Residency, Padmavathi Nagar-3, Vegunta Road, Sithapuri colony, Simhachalam, Visakhapatnam District - 530047.

**Petitioner**

**AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education, Secretariat, Amaravathi at Vijayawada.
2. The Principal Account General (A & E), Andhra Pradesh, Saifabad, Hyderabad - 500004.
3. The District Educational Officer, , Visakhapatnam, Visakhapatnam District.
4. The District Treasury Officer, Visakhapatnam, Visakhapatnam District.
5. The - Sub Treasury Officer, Seethammadhara, Visakhapatnam District.
6. The Head Master, Z.P. High School, Narava, Pendurti Mandal, 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding/recovery an amount of Rs. 3,01,367/- from petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated 10-08-1983 in violation of the full bench judgment of the Honble High Court in W.P. No. 21457 of 2004 reported in 2010 4 ALT 145 is as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 3,01,367/- as per to the Division Bench orders of this Hon'ble Court passed in W.P. No. 33315 of 2013 Dated 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated 06-04-2021 along with interest 10 percentage on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1,3 & 6, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

### **WRIT PETITION NO:20452 OF 2021**

#### **Between:**

P. Rajani Kantham Naidu, , S/o. P. Changalraya Naidu, aged about 70 years, Occ Retired Head Master, Government High School(Boys), Chandragiri, Chandragiri Mandal, Chittoor District. R/o. D.No. 23-8-156/48, Plot No. 154, Sreehitha Arcade, Air Bypass Road, M.R. Palli, S.V.M. Post, Tirupathi, Chittoor District-517502.

**Petitioner**

**AND**



1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education, Secretariat, Amaravathi at Vijayawada.
2. The Principal Account General (A and E), Andhra Pradesh, Saifabad, Hyderabad - 500004.
3. The Deputy Educational Officer, Chennareddy Colony, Thirupathi, Chittor District- 517001.
4. The District Treasury Officer, Chittor, Chittor District-517001.
5. The Sub Treasury Officer, Thirupathi, Chittor District.
6. The Head Master Government High School(Boys), Chandragiri, Chandragiri Mandal, Chittor District-517001

#### **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 to declare the action of the respondents in withholding/recovery an amount of Rs.1,72,888/- from petitioners retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated 10-08-1983 in violation of the full bench judgment of the Hon'ble High Court in W.P. No. 21457 of 2004 reported 2010 4 ALT 145 is as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 1,72,888/- as per to the Division Bench orders of this Hon'ble Court passed in W.P. No. 33315 of 2013 Dated 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated 16-04-2021 along with interest 10 percent on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1,3 & 6, GP for Finance for Respondent Nos.2, 4 & 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

#### **WRIT PETITION NO:20570 OF 2021**

##### **Between:**

S. Madhava Sarma, S/o. Siva Ramayya, aged about 64 years, Occ. Retired Grade-I Telugu Pandit, Z.P.P. High School, Nallajerla Post and Mandal, West Godavari District, R/o. H.No. 3-141 A, M College Road, Nallajerla, West Godavari District- 534112.

#### **Petitioner**

##### **AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General (A & E), Andhra Pradesh, Saifabad, Hyderabad - 500004.
3. The District Educational Officer, Eluru, West Godavari District.
4. The District Treasury Officer, Eluru, West Godavari District.
5. The Sub Treasury Officer, Tadepalligudem, West Godavari District.
6. The Head Master, Z.P.P. High School, Nallajerla Post and Mandal, West Godavari District- 534112.

#### **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, to declare the action of the respondents in withholding/recovery an amount of Rs. 11,81,146/- from petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated. 10-08-1983 in violation of the full bench judgment of the Hon'ble High Court in W.P. No. 21457 of 2004 reported in 2010 4 ALT 145 is as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 11,81,146/- as per the Division Bench orders of this Hon'ble Court passed in W.P. No. 33315 of 2013 Dated. 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated. 06-04-2021 along with interest @10percent on delay payment as per section 7(3) of



the Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1,3 & 6, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

### **WRIT PETITION NO:20699 OF 2021**

#### **Between:**

1. D. Satyavathi, W/o. S. Kesavarao, aged about 64 years, Occ Retired Head Mistress, S.K.V.T.(TM) Aided High School, Innespet, Rajahmundry, East Godavari District, R/o. D.No. 16-2-1, LB. Sastry Road, Opp. Madhuram Coffee shop, Sriram nagar, Rajahmundry, East Godavari District- 533105.

**Petitioner**

#### **AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General (A and E), Andhra Pradesh, Saifabad, Hyderabad - 500004.
3. The District Educational Officer, East Godavari District at Kakinada.
4. The District Treasury Officer, East Godavari District at Kakinada.
5. The Sub Treasury Officer, Rajamahendravaram, East Godavari District.
6. The Correspondent, S.K.V.T.(TM) Aided High School, Innespet, Rajahmundry, East Godavari 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding/recovery an amount of Rs. 2,93,825/-from petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated 10-08-1983 in violation of the full bench judgment of the Hon'ble High Court in W.P. No. 21457 of 2004 reported in 2010 4 ALT 145 as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 2,93,825/- as per the Division Bench orders of this Hon'ble Court passed in W.P. No. 33315 of 2013 Dated 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated 16-04-2021 along with interest @10percent on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1 & 3, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

### **WRIT PETITION NO:20996 OF 2021**

#### **Between:**

1. P. Satyanarayana, , S/o. Late P. Appalaswamy, aged about 69 years, Occ-Retired Gr-II Gazetted Head Master, Z.P. High School, Chinapachila, Ravikamatham Mandal, Visakhapatnam District. R/o. D. No.9-265, Narasimha Nagar, Gopalapatnam, Visakhapatnam District - 530027.

**Petitioner**

#### **AND**

1. The State of Andhra Pradesh, , Represented by its Principal Secretary, School Education, Secretariat, Amaravathi at Vijayawada.
2. The Principal Account General, (AandE), Andhra Pradesh, Saifabad, Hyderabad 500004.
3. The Deputy Educational Officer, Yellamanchili, Visakhapatnam District.
4. The District Treasury Officer, Visakhapatnam, Visakhapatnam District.
5. The Sub Treasury Officer, V. Madugula, Visakhapatnam District.



6. The HeadMaster, Z.P.High School, Chinapachila, Ravikamatham Mandal,  
Visakhapatnam 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding recovery an amount of Rs. 2,10,907 from petitioners retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated-10-08-1983 in violation of the full bench judgment of the Honble High Court in W.P. No. 21457 of 2004 reported in 2010 4 ALT 145 as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 2,10,907 as per to the Division Bench orders of this Honble Court passed in W.P. No.33315 of 2013 Dated- 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated- 16-04-2021 along with interest 10 percentage on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1,3 & 6, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

#### **WRIT PETITION NO:21329 OF 2021**

##### **Between:**

P. Vijayananda Reddy, S/o. Late P. Munaswamy Reddy, aged about 69 years,  
Occ. Retired Head Master, P.N.C. Municipal High School, Santhapet, Chittoor 4,  
Chittoor District. R/o. H.No. 31-119, Sai Nagar, Kanipakam Road Santhapet,  
Chittoor District-517004.

**Petitioner**

##### **AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education, Secretariat, Amaravathi at Vijayawada.
2. The Principal Account General (A & E), Andhra Pradesh, Saifabad, Hyderabad - 500004.
3. The Municipal Commissioner, Chittoor Municipality, Chittoor District -517001.
4. The Deputy Educational Officer, Chittoor, Chittoor District
5. The District Treasury Officer, Chittoor, Chittoor District.
6. The Sub- Treasury Officer, Chittoor, Chittoor 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding/recovery an amount of Rs. 1,50,008/- from petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated. 10-08-1983 in violation of the full bench judgment of the Hon'ble High Court in W.P. No. 21457 of 2004 reported in 2010 4 ALT 145 as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 1,50,008/- as per the Division Bench orders of this Hon'ble Court passed in W.P. No. 33315 of 2013 Dated. 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated. 06-04-2021 along with interest @10 percent on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made.



The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1 & 2, GP for Services-I for Respondent Nos.4 and 6 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2, Sri N. Ranga Reddy, SC for Municipality for respondent No.3.

### **WRIT PETITION NO:21332 OF 2021**

#### **Between:**

P. Ratnamaiah, , S/o. P. Venkata Ramaiah, aged about 67 years, Occ- Retired Sanskrit Pandit, Municipal High School, Adoni, Kurnool District, R/o. H.No. 21/405/18, Kaparti Nagar, RTC Colony, Adoni, Kurnool District - 518301.

**Petitioner**

#### **AND**

1. The State of Andhra Pradesh,, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General (AandE),, Andhra Pradesh, Saifabad, Hyderabad - 500004.
3. The Commissioner, , Adoni Municipality, Adhoni, Kurnool District.
4. The District Treasury Officer,, Kurnool, Kurnool District.
5. The Sub Treasury Officer,, Adoni, Kurnool 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding/recovery an amount of Rs. 2,54,560/- from petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated- 10-08-1983 in violation of the full bench judgment of the Hon'ble High Court in W.P. No. 21457 of 2C04 reported 2010 4 ALT 145 as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the 'recove' red red/withheld gratuity amount of Rs. 2,54,560/- as per the Division Bench orders of this Hon'ble Court passed in W.P. No. 33315 of 2013 Dated- 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated- 06-04-2021 along with interest @10percent on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1 & 3, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

### **WRIT PETITION NO:21162 OF 2021**

#### **Between:**

G. Chalamayya, S/o. G. Padmanabham, aged about 67 years, Occ. Retired School Assistant (Telugu), Z.P. High School, Vella, Ramachandrapuram Mandal, East Godavari District, R/o. MIG 71, 24-22-7, APHB Colony, Ramachandrapuram, East Godavari District - 533255.

**Petitioner**

#### **AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Amaravathi at Vijayawada.
2. The Principal Account General (A & E), Andhra Pradesh, Saifabad, Hyderabad - 500004.
3. The District Educational Officer, E.G. District at Kakinada.
4. The District Treasury Officer, East Godavari, East Godavari District.
5. The Sub - Treasury Officer, Ramachandrapuram, East Godavari District.
6. The Head Master, Z.P. High School, Vella, Ramachandrapuram Mandal, E.G. 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ



of Mandamus, to declare the action of the respondents in withholding/recovery an amount of Rs. 2,17,779/- from petitioners retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated. 10-08-1983 in violation of the full bench judgment of the Honourable High Court in W.P. No. 21457 of 2004 reported 2010 4 ALT 145 as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 2,17,779/- as per the Division Bench orders of this Honourable Court passed in W.P. No. 33315 of 2013 Dated. 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated. 16-04-2021 along with interest @10 percent on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1,3 & 6, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.

### **WRIT PETITION NO:21529 OF 2021**

#### **Between:**

D MALLESWARI, D. Malleswari, W/o. Late M. Venkata Ramana, aged about 66 years, Occ. Retired School Assistant (Hind), Government High School, Pendurthi, Visakhapatnam District, R/o. D.No. 58-15-13T2NAD, Sri Sai Towers, Santhi Nagar, Kotha Road (Post), Visakhapatnam, Visakhapatnam District - 530009.

**Petitioner**

#### **AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, School Education Department, Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General (A and E), Andhra Pradesh, Saifabad, Hyderabad - 500004.
3. The District Educational Officer, Visakhapatnam, Visakhapatnam District.
4. The District Treasury Officer, Visakhapatnam, Visakhapatnam District.
5. The Sub Treasury Officer, Seethammadhara, Visakhapatnam District.
6. The Head Master, Government High School, Pendurthi, Visakhapatnam District - 531173.

**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 may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in withholding/recovery an amount of Rs. 6,25,215/- from petitioner's retirement gratuity as excess paid under G.O. Ms. No. 330, Education Department, Dated. 10-08-1983 in violation of the full bench judgment of the Honourable High Court in W.P. No. 21457 of 2004 reported in 2010 4 ALT 145 as illegal, arbitrary and unconstitutional and consequently declare that the petitioner is entitled for repayment of the recovered/withheld gratuity amount of Rs. 6,25,215/- as per the Division Bench orders of this Honourable Court passed in W.P. No. 33315 of 2013 Dated. 22-06-2020 and Division Bench orders in W.P. No. 31507 of 2013 and Batch and Division Bench orders in W.P. No. 33594 of 2013 and batch dated. 06-04-2021 along with interest @10 percent on delay payment as per section 7(3) of The Payment Of Gratuity Act 1972 from the date on which the gratuity becomes payable till such payment is made and to pass such

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri A.V.V.S. Bhujanga Rao Advocate for the Petitioner, GP for Education for Respondent Nos.1,3 & 6, GP for Services-I for Respondent Nos.4 and 5 and of Smt. Swarna Seshu, Standing Counsel for Respondent No.2.



**ORDER:**

The learned Government Pleader for Services-III appears before this Court and produces the copy of the order dated 28.08.2021 issued by the Principal Secretary to Government, wherein it is mentioned that the Government after careful examination of the matter, hereby accord permission to implement the orders of High Court in W.P.Nos.33315 of 2013, 22871 of 2013 and batch, 22835 of 2013 and Batch, 6431 of 2021, 31507 of 2013 and batch, W.P.No.6843, 6875, 7080, 7216, 7254, 7399, 7477, 7539, 7924, 8358 and 9151 of 2021 etc., regarding revision of pension and refund the recovery amount, to avoid further legal complications in the matter.

The learned Government Pleader also submits that the cases of the petitioners are already been considered in line with the order dated 28.08.2021. In view of the large volume of the cases, he prefers time for the departmental procedures to be completed in these matters.

In W.P.No.17616 of 2021, the learned Government Pleader seeks time to examine the issue as the LR's have filed the application.

The learned counsel for the petitioners strongly urges this Court to pass orders stating that the State will not comply with the procedures and the orders, unless there is a direction. However, since the learned Government Pleader appears in person with written instructions, considering his request, list on 27.10.2021 for informing this Court about the compliance of the orders. No further time will be granted. Positive and clear information should be furnished to this Court.

//TRUE COPY//

SD/- CHITTI JOSEPH  
ASSISTANT REGISTRAR

SECTION OFFICER

For ASSISTANT REGISTRAR

To

1. The Principal Secretary, School Education Department, State of Andhra Pradesh Secretariat, Velagapudi, Amaravathi at Vijayawada.
2. The Principal Account General, (A & E), Andhra Pradesh, Saifabad, Hyderabad-500004
- ✓ 3. The District Educational Officer, Visakhapatnam, Visakhapatnam District.
- ✓ 4. The District Treasury Officer, Visakhapatnam, Visakhapatnam District.
5. The Sub Treasury Officer Chinthapalli, Chinthapalli Mandal, Visakhapatnam District.
6. The Sub Treasury Officer, Seethammadara, Visakhapatnam post and District.
7. The Correspondent, T.W.A. High School, Chittempadu, Koyyuru Mandal, Visakhapatnam District.
- ✓ 8. The District Educational Officer, Nellore, SPSR Nellore District.
- ✓ 9. The District Treasury Officer, Nellore, SPSR Nellore District.
10. The Sub Treasury Officer, Kavali, SPSR Nellore District.
11. The Correspondent, Aided Upper Primary School, Mosque Street, VIth Ward, Kavali Post Mandal, SPSR Nellore District -524201.



12. The District Educational Officer, Prakasam, Prakasam District.
13. The District Treasury Officer, Prakasam, Prakasam District.
14. The Sub Treasury Officer, Chirala, Prakasam District.
15. The Correspondent, S.A.R.R.M. Aided High School, Vittalnagar, Chirala, Prakasam District - 523157.
16. The District Educational Officer, Krishna, Krishna District.
17. The District Treasury Officer, Krishna, Krishna District.
18. The Sub Treasury Officer, Nandigama, Krishna District.
19. The Correspondent, Don Bosco High School (Boys), Nandigama Post and Mandal, Krishna District.
20. The District Educational Officer, Prakasam, Prakasam District.
21. The Correspondent, A.S. High School, Jagarlamudi, Yaddanapudi Mandal, Prakasam District.
22. The Sub Treasury Officer, Naidupet, SPSR Nellore District.
23. The Correspondent, A.L.C.M. High School, Naidupeta, Naidupeta Mandal, SPSR Nellore District-524126
24. The District Educational Officer, West Godavari, West Godavari District.
25. The District Treasury Officer, West Godavari, West Godavari District.
26. The Sub Treasury Officer, Eluru, West Godavari District.
27. The Correspondent, Taylor High School, Narsapur, Narsapur Mandal, West Godavari District.
28. The District Educational Officer, Chittoor, Chittoor District.
29. The District Treasury Officer, Chittoor, Chittoor District.
30. The Sub Treasury Officer, Puttur, Chittoor District.
31. The Correspondent, Deena bandu Aided Tamil High School, Deenabandupuram, Palasamudram Mandal, Chittoor District.
32. The District Educational Officer, Kadapa, Y.S.R. Kadapa District.
33. The District Treasury Officer, Kadapa, Y.S.R. Kadapa District.
34. The Sub Treasury Officer, Pulivendula, Y.S.R. Kadapa District.
35. The Correspondent, ST. ANN's English Medium School, Pulivendla, Y.S.R. Kadapa District - 516390.
36. The District Educational Officer, Guntur, Guntur District.
37. The District Treasury Officer, Guntur, Guntur District-522001
38. The Sub Treasury Officer, Guntur, Guntur Dist-522001
39. The Correspondent, S.P.S. High School, Lakshmipuram, Guntur, Guntur District.
40. The Sub Treasury Officer, Bheemunipatnam, Visakhapatnam District.
41. The Head Master, Z.P. High School, Ramavaram, Anandapuram Mandal, Visakhapatnam District.
42. The Sub Treasury Officer, Eluru, West Godavari District.
43. The Head Master, Z.P.H. School, Kalaparru, Pedapadu Mandal, West Godavari District.
44. The Regional Joint Director, of Collegiate Education, Kadapa, YSR Kadapa District.
45. The District Treasury Officer, Kurnool, Kurnool District.
46. The Sub Treasury Officer, Nandyal, Kurnool District.
47. The Principal, P.S.C. and K.V.S.C. Government Degree College, Nandyal, Kurnool District - 518502.
48. The Deputy Educational Officer, Bobbili, Vizianagaram District.
49. The District Treasury Officer, Vizianagaram, Vizianagaram District.
50. The Sub Treasury Officer, Terlam, Vizianagaram District.
51. The Head Master, Z.P. High School, Uttaravalli Post, Merakamudidam Mandal, Vizianagaram District - 535124.
52. The - Sub Treasury Officer, Seethammadhara, Visakhapatnam District.
53. The Head Master, Z.P. High School, Narava, Pendurti Mandal, Visakhapatnam District
54. The District Treasury Officer, Chittoor, Chittoor District-517001.
55. The Sub Treasury Officer, Thirupathi, Chittoor District.
56. The Head Master Government High School(Boys), Chandragiri, Chandragiri Mandal, Chittoor District-517001
57. The District Educational Officer, East Godavari District at Kakinada.
58. The District Treasury Officer, East Godavari District at Kakinada.
59. The Sub Treasury Officer, Rajamahendravaram, East Godavari District.
60. The Correspondent, S.K.V.T.(TM) Aided High School, Innespet, Rajahmundry, East Godavari District.
61. The Deputy Educational Officer, Yellamanchili, Visakhapatnam District.
62. The Sub Treasury Officer, V. Madugula, Visakhapatnam District.
63. The Head Master, Z.P.High School, Chinapachila, Ravikamatham Mandal, Visakhapatnam District
64. The - Sub Treasury Officer, Bhimavaram, West Godavari District.



65. The Head Master, S.J.Z.P. High School, Goraganamudi, Palakoderu Mandal, West Godavari District.
66. The Municipal Commissioner, Chittoor Municipality, Chittoor District -517001.
67. The Deputy Educational Officer, Chittoor, Chittoor District
68. The Sub- Treasury Officer, Chittoor, Chittoor District.
69. The Commissioner, , Adoni Municipality, Adhoni, Kurnool District.
70. The District Treasury Officer, Kurnool, Kurnool District.
71. The Sub Treasury Officer, Adoni, Kurnool District.
72. The Sub - Treasury Officer, Ramachandrapuram, East Godavari District.
73. The Head Master, Z.P. High School, Vella, Ramachandrapuram Mandal, E.G. District.
74. The Head Master, Government High School, Pendurthi, Visakhapatnam District - 531173. **(1 to 74 by RPAD)**
- 75 One CC to Sri A V V S Bhujanga Rao, Advocate [OPUC]
76. Two CCs to GP for School Education ,High Court of Andhra Pradesh. [OUT]
- 78 Two CC to GP for Services-I, High Court of A.P at Amaravati (OUT)
- 79 One CC to Smt. Swarna Seshu, Standing Counsel (OPUC)
80. One CC to Sri N. Ranga Reddy, Standing Counsel (OPUC)
81. One spare copy

TVR







HIGH COURT

DVSSJ

DATED:06.10.2021

ORDER

WRIT PETITION NO: 17560, 17402, 17405, 17461, 17508, 17607, 17612, 17616, 17624, 17702, 17996, 17997, 18176, 18211, 19337, 19344, 19672, 20452, 20570, 20699, 20996, 21329, 21332, 21162 and 21529 of 2021

DIRECTION

