

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

MONDAY, THE SEVENTH DAY OF AUGUST  
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HON'BLE SRI JUSTICE D.V.S.S.SOMAYAJULU  
AND  
THE HON'BLE SRI JUSTICE DUPPALA VENKATA RAMANA



WRIT APPEAL NO: 741 OF 2023

Writ Appeal under Clause 15 of the Letters Patent Against Order made in **W.P No. 5699 of 2023**, Dated 07-03-2023 on the file of the High Court.

**Between:**

1. The Executive Council, Rep. by the Chairman, as Vice-Chancellor SV University, Tirupati
2. Sri Venkateswara University, Tirupati, Represented by its Registrar, Tirupati, Tirupati District, A.P

**...APPELLANT**

**AND**

1. C. Vara Prasad, S/ o late Sreeramulu Naidu Aged 60 years, Occ. Fitter Grade-I Water Works Section, SVU Engineering Department, R/o Bestha Street, Tirupati
2. G. Subbaiah, S/o Sundara Ramaiah, Aged 60 years, Occ. Photo Artist, Department of Population Studies, SVU College of Arts, S.V. University, Tirupati R/o D.No.1-145, Prakasam Road, Tirupati, Tirupati District.
3. M. Nagamalleswara Rao, S/o Nageswara Rao, Aged 60 years, Occ. Electrician, Electrical Section, SVU Engineering Department, R/o Health Centre Quarters, Tirupati, Tirupati District.
4. K Venkateswara Raju, S/o Narayana Raju, Aged 60 years Occ. Head Master I/c S.V.U.Campus School, Tirupati. R/o 8-146/49, Royal Nagar, Tirupati, Tirupati District.
5. G Varalakshmi, W/o R. R Praveen Kumar, Aged 60 years, Occ. Deputy Registrar, Academic Branch, SVU Office, R/o H.No.693, Yadava Colony Annamaiah Circle, Tirupati
6. State of Andhra Pradesh, represented by its Principal Secretary, Higher Education Department A.P. Secretariat, Velagapudi, Guntur District
7. State of Andhra Pradesh, Represented by its Principal Secretary, Finance Department, A.P. Secretariat, Velagapudi, Guntur District
8. The AP State Council of Higher Education, Rep by the Secretary, APSCHE 3rd, 4th, 5th Floors, Neeladri Towers, Sri Ram Nagar, 6<sup>th</sup> Battalion Road Atmakur (V) Mangalagiri (M), Guntur

**...RESPONDENTS**

**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 CONDONE the delay of 103 days in filing Writ Appeal against the order dated 07-03-2023 in W.P.No. 5699 of 2023, to meet ends of justice.

**IA NO: 2 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 suspend the order dated 07.03.2023 passed in W. P. No. 5699 of 2023.

**Counsel for the Appellant: SRI. BUTTA VIJAYA BHASKAR**

**Counsel for the Respondents 1 to 5: SRI. RAMBABU KOPPINEEDI**

**Counsel for the Respondent 6: GP FOR HIGHER EDUCATION**

**Counsel for the Respondent 7: GP FOR FINANCE & PLANNING**

**Counsel for the Respondent 8: M/s S. PARINEETA**

**The Court made the following: ORDER**

**THE HON'BLE SRI JUSTICE D.V.S.S. SOMAJULU  
&  
THE HON'BLE SRI JUSTICE D. UPPALAVENKATARAMANA**

**Writ Appeal No. 741 of 2023**

**JUDGMENT:** *(per Sri Justice D.V.S.S. Somajulu)*

Heard learned Standing Counsel for the Sri Vekateswara University appearing for the appellants and learned counsel for respondents.

2. In view of the order passed in similar batch of writ appeals against the interim order which are granted in similar circumstances, this Court is of the opinion that this writ appeal is also allowed.

3. The interim order passed is opposed to two Division Bench judgments passed by this Court in the case of **G. Rama Mohan Rao and another v. Government of Andhra Pradesh**<sup>1</sup> and in W.A.No.1033 of 2022 and batch.

4. For the reasons mentioned in the W.A.No.392 of 2023 and batch, this writ appeal is allowed setting aside the impugned order. No costs.

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<sup>1</sup>(2017)3ALT1(DB)=2017SCCOnlineHyd54



As a sequel, Miscellaneous Applications, if any,  
pending shall also stand dismissed.

**SD/- P. VENKATA RAMANA**  
**JOINT REGISTRAR**

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**SECTION OFFICER**

**To,**

1. The Principal Secretary, Higher Education Department State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Guntur District
2. The Principal Secretary, Finance Department, State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Guntur District
3. The Secretary, AP State Council of Higher Education, APSCH 3rd, 4th, 5th Floors, Neeladri Towers, Sri Ram Nagar, 6<sup>th</sup> Battalion Road Atmakur (V) Mangalagiri (M), Guntur
4. One CC to Sri. Butta Vijaya Bhaskar Advocate [OPUC]
5. One CC to Sri. Rambabu Koppineedi Advocate [OPUC]
6. Two CCs to Higher Education, High Court of Andhra Pradesh. [OUT]
7. Two CCs to Finance & Planning, High Court of Andhra Pradesh. [OUT]
8. One CC to M/s S. Parineeta Advocate [OPUC]
9. Two CD Copies

Sdkr



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**HIGH COURT**

**DATED:07/08/2023**



**ORDER**

**WA.No.741 of 2023**

**ALLOWING THE WA WITHOUT COSTS**

13 Copies

B.V.V.R.

28.11.23