



IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI

(Special Original Jurisdiction)

FRIDAY, THE FIFTEENTH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 22927 OF 2023

Between:

1. G Ramachandra, S/o G.Kondaiah, aged about 60 years, Occ. SGT (MTS) R/o H.No.1-137-B, Chittoor Road. Kadapa District, O/o.Minnam Reddigari palli Sambepalli Post Mandal (H.T No. 11101009)
2. B Chandra Sekhar Reddy, S/o B Obul Reddy, Aged about 60 years, Occ. SGT (MTS) R/o H.No 7/7, Bayareddy gari palli, Suddamalla mandal Y S R Kadapa District O/o Palannagari Palli, Ramapuram (H.T No. 11102171)
3. T V Rami Reddy, S/o T Nga Subba Reddy, Aged about 60 years, Occ. SGT (MTS) R/o H.No 51/91-4-A, Nehru Nagar Kottapeta Rayachoti, Kadapa District O/o MPPS, Reddivari Palli Sambepalli (H.T No. 11106023)

Petitioners

AND

1. The State of Andhra Pradesh, rep.by its Principal Secretary, School Education Department, Secretariat, Velagapudi Gunturu District,
2. The Commissioner and Director of School Education, the Government of Andhra Pradesh, Ibrahim Patnam, Krishna District-520001.
3. The District Educational Officer (DEO), Y S R Kadapa, Kadapa District
4. The District Collector, Y S R Kadapa. Kadapa District, 1998 DSC

Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to pass an order or direction one in the nature of Writ of Mandamus declaring the impugned action of the respondents in so far as appointing the petitioners as Contract Teachers on a Minimum Time Scale basis on the pretext of G.O.Ms.no.27 dt15-3-2023 vide appointment orders dt11-12- 2007 in lieu of Vidya Volunteers in accordance with Govt.Memo. No.7705/ser.VII/2004 dt.23-05-2005 while appointing counterparts of DSC-1998 qualified Teachers based on the opinion of the then Advocate General and as per the recommendations of the Committee who subsequently absorbed on a regular basis in order to deprive the legitimate right of assurance under promissory estoppel and while treating them as if they were Government Servants hold a civil post and brought them under CCA Rules,1991 for the purpose of disciplinary action on one hand whereas denying the benefit of continuance in service upto age of 62 years on other hand is totally irrational, inequity, unfair, unwarranted, legally incorrect besides being a violation of Articles 14 of the Constitution of India and set aside the G.O. in so far as adverse condition is concerned and consequently declare that the petitioners are entitled to the identical and similar benefits derived from the Govt.Memo. No.7705/ser.VII/2004 dt.23-05-

2005, as are enjoying by the counterparts of DSC-1998 qualified teachers like the petitioner including absorption on the notional basis by taking into account the dicta laid down by the Apex Court in Civil Appeal No.3767/2010 (State of Bihar 8 Others v. Arbind Jee,) with further direction to continue the petitioners as a SGT (Secondary Grade Teacher) are entitled in service upto age of 62 years with all consequential benefits.

**IA NO: 1 OF 2023**

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents to continue the petitioner as a (SGT) till attains the age of 62 years being Government Servants and discharging teacher duties in connection with the affairs of the State, State Affairs without reference to the nomenclature of the appointment, pending disposal of the Writ Petition No.22927 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.M.KRISHNA RAO Advocate for the Petitioner and GP for Services III, for Respondents, the Court made the following.

**ORDER:**

Heard the learned counsel for the petitioners and learned Government Pleader for Services-III.

At request of learned Government Pleader for filing counters, list the matters after two (02) weeks.

In the meantime, the respondents are directed to continue the services of the petitioner for this academic year as per the G.O.Ms.No.71 dated 09.08.2022.

Sd/- K. KASIRAO ACHARI  
ASSISTANT REGISTRAR

//TRUE COPY//

For

SECTION OFFICER

To,

1. The Principal Secretary, School Education Department, State of Andhra Pradesh, Secretariat, Velagapudi Gunturu District,
2. The Commissioner and Director of School Education, the Government of Andhra Pradesh, Ibrahim Patnam Krishna District-520001.
3. The District Educational Officer (DEO), Y S R Kadapa, Kadapa District
4. The District Collector, Y S R Kadapa, Kadapa District, 1998 DSC (1 to 4 by RPAD)
5. One CC to SRI.M.KRISHNA RAO, Advocate [OPUC]
6. Two CCs to GP for Services III, High Court of Andhra Pradesh. [OUT]
7. One spare copy

SRL



**HIGH COURT**

**NVJ**

**DATED:15/09/2023**

**NOTE: LIST THE MATTERS AFTER TWO (02) WEEKS**

**ORDER**

**WP.No.22927 of 2023**

**DIRECTION**

