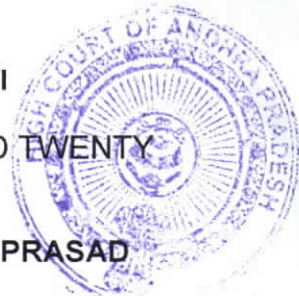


**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
FRIDAY, THE FOURTH DAY OF NOVEMBER TWO THOUSAND AND TWENTY
TWO
:PRESENT:
THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD**



WRIT PETITION NO: 28394 OF 2022

Between:

1. Y. Sambasiva Rao, S/o. YVS Ramaiah, Aged 60 years, Occ- Presently Working as Assistant Commissioner (ST) under the orders of reversion, Office of the Chief Commissioner(ST), Edupugallu, Kankipadu Mandal, Krishna District.
2. K. Venkataratnam, S/o. Satyanandam, Aged 54 years, Occ- Presently Working as Assistant Commissioner (ST) under the orders of reversion Office of the Chief Commissioner(ST), Edupugallu, Kankipadu Mandal, Krishna District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by it's Principal Secretary, Commercial Taxes Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
2. The Chief Commissioner (State Tax), O/o. The Commissioner of Commercial Taxes, D.No.5-59, R.K. Spring Valley Apartments, Block-B, Bandar Road, Edupugallu Village, Kankipadu Mandal, Vijayawada, Krishna District.
3. A.D.P. Rajkumar, S/O Late, A.V. Raghavulu, aged 55 years, Occ; Assistant Commissioner, O/O the Assistant Commissioner Bhimavaram Circle, Andhra Pradesh, R/O Bhimavaram.

...Respondents

(Respondent No.3 impleaded as per the court order dt. 16.09.2022 vide I.A.No. 3/2022, in W.P. No. 28394/2022 in the petition and Affidavit)

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 direction or order or Writ of Mandamus:

- a. Declare the promotions of Writ Petitioners as Superintendent Grade-I w.e.f.1.2.2017, consequential seniority as Superintendent Grade. I w.e.f.1.2.2017 in ref. DXZ (1)/289/2012 dated 11.6.2020, and DPC of ACs dated 27.1.2021, and orders of promotion as Assistant Commissioner (ST) w.e.f 29.1.2021 in ref. D1/227/2017 dated 29.1.2021, are legal and legitimate and any revision or review of said promotions is against Articles 14 and 16 of the Constitution, accordingly quash/set aside the orders passed on 9.3.2022 and 10.3.2022 in D1/227/2017.
- b. Direct the Government to fix of the responsibility, against higher end to lower end, responsible for passing abrupt orders on 9.3.2022 and 10.3.2022, without any law and in violation of rules, but with gross misutilization of powers and award appropriate punishment.
- c. Direct that, writ Petitioners are liable to be allowed, with exemplary costs and damages, for having thrust this unwarranted lison the petitioners, and direct payment of the same by the State, and to ensure accountability of recover the costs and damages so awarded from the personal funds of all the officers held responsible;

IA NO: 1 OF 2022

Petition under Section 151 CPC, praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the illegal and unlawful orders of 2nd respondent dated 9.3.2022 and 10.3.2022 in

ref.D1/227/2017, and revoke/restore the orders in ref. DXZ (1)/289/2012 dated 11.6.2020, and consequential orders thereon, and promotion orders of Writ Petitioners as ACs in ref. D1/227/2022 dated 29.01.2021, pending disposal of WP No. 28394 of 2022, 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 the Orders of the High Court dt; 6.09.2022, 23.09.2022, 29.09.2022 & 27.10.2022 made herein and upon hearing the arguments of Sri P. DURGA PRASAD, Advocate for the Petitioner, and of G.P. FOR SERVICES- I for Respondents. the Court made the following.

ORDER:

List the matter on 24.11.2022 for final hearing.

2. Interim order granted earlier is extended till then.

3. Learned Counsel for the Writ petitioner undertakes not to press the C.C.No. 4929 of 2022, which is already filed till the next date of hearing.

**Sd/- M. SRINIVAS
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri. P Durga Prasad, Advocate [OPUC]
2. Two CCs to GP for Services-I, High Court of Andhra Pradesh. [OUT]
3. One spare copy.

nbr

HIGH COURT

GRKP,J

DATED:04/11/2022

ORDER

List the matter on 24.11.2022 for final hearing.

WP.No.28394 of 2022

INTERIM order granted earlier is extended

