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APHC010051122018

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3333]
(Special Original Jurisdiction)

FRIDAY, THE 7th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 2348/2018

Between:

1. P. ADINARAYANA REDDY, P. ADINARAYANA REDDY, S/O P. RAMI REDDY, AGED 52 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.
2. R. KESAVA REDDY, R. KESAVA REDDY, S/O R. NARIGAPPA, AGED 54 YEARS, SUPERINTENDENT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.
3. Y. RAJAMMA, Y. RAJAMMA, D/O Y. VISWANATHAM(LATE), AGED 52 YEARS, SUPERINTENDENT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.
4. B. ESWARAIAH, B. ESWARAIAH, S/O. B. BAYANNA, AGED 50 YEARS, SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.
5. M. SREENIVASULU, M. SREENIVASULU, S/O. M. VENKATA RAMUDU, AGED 45 YEARS, SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.
6. M. NARESH, M. NARESH, S/O. M. NAGA BHUSHANAM, AGED 29 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY,

ANANTAPURAMU-515001, A.P.

7. V. KRISTAPPA, V. KRISTAPPA, S/O. V. KULLAYAPPA, AGED 49 YEARS, SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

8. A. VEERA REDDY, A. VEERA REDDY, S/O A. KONDA REDDY, AGED 48 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

9. S. VENKATA RAVANA, S. VENKATA RAVANA, S/O. S. LINGANNA, AGED 54 YEARS, SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

10. N. KESAVA REDDY, N. KESAVA REDDY, S/O. N. SUBBARAYUDU, AGED 56 YEARS, SUPERINTENDENT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

11. K. VENKATESULU, K. VENKATESULU, S/O. K. HANUMANTHAPPA, AGED 51 YEARS, SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

12. N. ANANDA RAJU, N. ANANDA RAJU, S/O N. RANGAIAH, AGED 43 YEARS, SUPERINTENDENT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

13. K. MARUTHI, K. MARUTHI, S/O K. PEDDANNA, AGED 30 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

14. M. SUBRAMANYAM, M. SUBRAMANYAM, S/0 M. VENKATARAMAIAH, AGED 48 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

15. M. RAJU, M. RAJU, S/O M. PEDDANNA, AGED 50 YEARS, SUPERINTENDENT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

16. J. GOVINDA RAJULU, J. GOVINDA RAJULU, S/O. 3. RAJAPPA, AGED 52 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

17. M. SANTHA KUMAR, M. SANTHA KUMAR, S/O. M. VIRUPANNA, AGED 43 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

18. D. PRATHAP REDDY, D. PRATHAP REDDY, S/O. D. SIVA RAMI REDDY, AGED 45 YEARS, JUNIOR ASISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

19. D. MURALI, D. MURALI, S/O D. ANAND, AGED 41 YEARS, SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

20. M.V. SIVA REDDY, M.V. SIVA REDDY, S/O. M. VENKATA REDDY, AGED 54 YEARS, DEPUTY REGISTRAR, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

21. T.S. SYAMASUNDAR, T.S. SYAMASUNDAR, S/O. T. SESHACHARYULU, AGED 52 YEARS, SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

22. N. LAKSHMI NARASIMHULU, N. LAKSHMI NARASIMHULU, S/O N. NARASAIAH (LATE), AGED 52 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

23. R. CHANDRA SEKHAR, R. CHANDRA SEKHAR, S/O R. MUVTHAPPA (LATE), AGED 56 YEARS, SUPERINTENDENT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

24. C. SANTHA LINGAM, C. SANTHA LINGAM, S/O. C. NARAYANA (LATE), AGED 42 YEARS, SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

25. C. RAMA MOHAN, C. RAMA MOHAN, S/O. C. LINGANNA (LATE), AGED 44 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

26. R. NAGA BHUSHANAM, R. NAGA BHUSHANAM, S/O. R.PEDDA VEERANARAPPA (LATE), AGED 51 YEARS, SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

27. M. SURESH REDDY, M. SURESH REDDY, S/O M. RANGA REDDY, AGED 30 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY,

ANANTAPURAMU-515001, A.P.

28. T. ROHITH KUMAR REDDY, T. ROHITH KUMAR REDDY, S/O T. RAVI (LATE), AGED 27 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

29. V. GOVINDA REDDY, V. GOVINDA REDDY, S/O. V. ANJANAIAH, AGED 51 YEARS, SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

30. S. RAMU NAIK, S. RAMU NAIK, S/O S. SAKRE NAIK, AGED 50 YEARS, SUPERINTENDENT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

31. S. CHINNA PEDDANNA, S. CHINNA PEDDANNA, S/O. S. SAMARANNA, AGED 46 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

32. D. NAGA MUNINDRA, D. NAGA MUNINDRA, S/O D. SUBBANNA, AGED 52 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

33. B. VENKATA RAMUDU, B. VENKATA RAMUDU, S/O. B. VENKATAPPA, AGED 49 YEARS, SUPERINTENDENT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

34. S. BASAVA RAJU, S. BASAVA RAJU, S/O. VEERA BADRAIAH, AGED 40 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

35. J. SIVA PRASAD, J. SIVA PRASAD, S/O J. KATAMAIAH, AGED 37 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

36. E. GOVINDU, E. GOVINDU, S/O. E. BOJJANNA, AGED 41 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

37. K. SUBBARAO, K. SUBBARAO, S/O K.S. PRAKASH RAO, AGED 52 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

38. H. CHINNAPPA, H. CHINNAPPA, S/O. H. HANUMANTHAPPA, AGED 56 YEARS, SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

39. N. VIJAYA, N. VIJAYA, D/O. N. VENKATAIAH, AGED 51 YEARS, SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

40. B. KESAVA KUMAR, B. KESAVA KUMAR, S/O. B. KRISHNA MURTHY, AGED 40 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

41. P. VENKATESH, P. VENKATESH, S/O P. NARAYANA, AGED 34 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

42. D. CHINNA NARAYANA, D. CHINNA NARAYANA, S/O D. KULLAYAPPA, AGED 54 YEARS, JUNIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

43. M. PRABHAKAR, M. PRABHAKAR, S/O. M. BAYANNA, AGED 55 YEARS, SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

44. B. DHARMAIAH, B. DHARMAIAH, S/O B. MUSALAIAH, AGED 49 YEARS, SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

45. S. SREERAM NAIK, S. SREERAM NAIK, S/O. S. BHEEMLA NAIK, AGED 53 YEARS, ASSISTANT REGISTRAR, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

46. S. GOVINDU, S. GOVINDU, S/O S. CHINNA PEDDANNA (LATE), AGED 41 YEARS, SUPERINTENDENT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

47. B. RAMA KRISHNA, B. RAMA KRISHNA, S/O. B. CHANDRAYUDU, AGED 53 YEARS, SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU-515001, A.P.

...PETITIONER(S)

AND

1. SRI KRISHNADEVARAYA UNIVERSITY, SRI KRISHNADEVARAYA UNIVERSITY, REP. BY THE REGISTRAR, SRI KRISHNADEVARAYA UNIVERSITY, S.V. PURAM, ANANTAPURAMU, A.P.-515003.

2. ANDHRA PRADESH STATE COUNCIL OF HIGHER EDUCATION, ANDHRA PRADESH STATE COUNCIL OF HIGHER EDUCATION REP. BY ITS SECRETARY, TADEPALLI, GUNTUR-522501.

3. THE STATE OF ANDHRA PRADESH, THE STATE OF ANDHRA PRADESH REP. BY THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION DEPARTMENT, VELAGAPUDI, GUNTUR DISTRICT.

4. A MALLIKARJUNA, S/O LATE A.ADAPPA, AGED ABOUT 46 YEARS, WORKING AS SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU.

5. M VENKATARAMA, S/O LATE M LINGANNA, AGED ABOUT 46 YEARS, WORKING AS SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU

6. KATIJA BEE, W/O. S.MOHAMMADLLIYAZ, AGED ABOUT 31 YEARS, WORKING AS SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU

7. G BALA VEERANNA, S/O. LATE G. VEERAPPA, AGED ABOUT 29 YEARS, WORKING AS SENIOR ASSISTANT, S.K. UNIVERSITY. ANANTAPURAMU

8. R SAI SIVA, LATE. S/O.R. CHANDRASCKHAR, AGED ABOUT 29 YEAR'S, WORKING AS SENIOR ASSISTANT, S.K. UNIVERSITY, ANANTAPURAMU

9. JAMALUDDING, S/O.S. SHAIKSHAVALI, AGED ABOUT 24 YEARS, WORKING AS SENIOR ASSISTANT, S.K.UNIVERSITY, ANANTAPURAMU

10. R SREENIVASULU, S/O. LATE, R VELUGONDAIAH, AGED ABOUT 34 YEARS WORKING AS SENIOR ASSISTANT,

S.K.UNIVERSITY, ANANTAPURAMU

11. K BRAHMANANDA, S/O. LATE K. BALAPEDDANNA, AGED ABOUT 31 YEARS, WORKING AS SENIOR ASSISTANT S.K.UNIVERSITY, ANANTAPURAMU

12. K V VIJAYASARATHI, S/O, LATE K. SAMBAIAH, AGED ABOUT 41 YEARS WORKING AS SENIOR ASSISTANT, S.K.UNIVERSITY, ANANTAPURAMU. RESPONDENT NOS. 4 TO 12 IMPLEADED AS PER COURT ORDER DATED 14.10.2024 VIDE IA NO.1 OF 2024 IN WP NO.2348 OF 2018.

...RESPONDENT(S):

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 any writ, order or direction particularly one in the nature of WRIT OF MANDAMUS declaring declaring the Executive Council resolution No.159-2964(A-4) Dated. 13-10-2017 as illegal, irrational, arbitrary and is not applicable to those of Non-Teaching employees who are in service as on the date of passing of the said resolution, and cleared the departmental tests conducted by the University and in respect of the vacancies available prior to the resolution and consequently direct the respondent University to promote all the petitioners who cleared the departmental tests conducted by the University against the available vacancies and pass

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 stay all further proceedings in respect of the Executive Council resolution No.159-2964 (A-4) Dated. 13-10-2017 pending disposal of the above writ petition and to pass

IA NO: 1 OF 2024

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 may be pleased to implead the petitioners as proposed respondents 4 to 12 in to the WP.No. 2348/2018 and pass

Counsel for the Petitioner(S):

1. A V S LAXMI

Counsel for the Respondent(S):

1. O UDAYA KUMAR SC For S K UNIVERSITY
2. HARINATH REDDY SOMAGUTTA
3. K RADHIKA SC FOR HIGHER EDUCATION
4. K RADHIKA

The Court made the following:

ORDER:

This Writ Petition came to be filed under Article 226 of the Constitution of India, seeking the following prayer:

> "…to issue any writ, order or direction particularly one in the nature of WRIT OF MANDAMUS declaring declaring the Executive Council resolution No.159-2964(A-4) Dated. 13-10-2017 as illegal, irrational, arbitrary and is not applicable to those of Non-Teaching employees who are in service as on the date of passing of the said resolution, and cleared the departmental tests conducted by the University and in respect of the vacancies available prior to the resolution and consequently direct the respondent University to promote all the petitioners who cleared the departmental tests conducted by the University against the available vacancies and pass…"

2. The petitioners herein are working in various cadres of non-teaching staff in the 1st respondent university, which came into existence in the year 1981 and is governed by the provisions of Andhra Pradesh Universities Act, 1991. The 1st respondent university framed service cadre rules for non-teaching staff and the same was approved by the Board of Management vide resolution No.320 (A.2), dated 11.07.1992. As per the said regulation, the petitioners appeared for departmental tests conducted by the University from time to time and attained eligibility for promotion to the higher cadre as stipulated under the cadre rules.

3. While the matter stood thus, the 2nd respondent – Andhra Pradesh State Council of Higher Education, vide letter bearing No.APSCHE/UM-1052/FO-Univ-Accounts Test/2017, dated 04.09.2017 advised all the universities in the State to mandate passing of accounts test for Sub-Ordinate Officers Part-I for promotion to the post of Senior Assistant and Accounts Test for Sub-Ordinate Officers Part-I and II or Executive Officers test for promotion to the post of Assistant Registrar conducted by Andhra Pradesh Public Service Commission. The 2nd respondent further held that the universities have no jurisdiction to conduct accounts test. Pursuant to the said direction, the Executive Council of the 1st respondent, vide the impugned resolution bearing No.159-2964(A-4), dated 13.10.2017, resolved to consider the letter addressed by the 2nd respondent dated 04.09.2017 and accorded permission to conduct departmental test to non-teaching staff through APPSC for promotions to the posts of Senior Assistant and Assistant Registrar. It is the case of the petitioners that the 2nd respondent is not empowered to direct the 1st respondent university to place its advice before the Executive Council for consideration and that the 2nd respondent invaded the autonomy of the 1st respondent university. The impugned resolution is contrary to the earlier resolution passed by the Board of Management of the 1st respondent university dated 11.07.1992. Hence, the present writ petition is filed.

4. The 2nd respondent filed a detailed counter affidavit stating that the 1st respondent university is governed by Andhra Pradesh University Act, 1991 and the Executive Council of the 1st respondent has the power to define duties, conditions of service, fixation of emoluments, appoint, dismiss, remove or suspend any member of non-teaching staff as under Section 19(7) and (8) of the A.P. University Act, 1991. It is further stated that the Andhra Pradesh Public Service Commission has been conducting various departmental test for various departments of the State and Universities. However, the 1st respondent university has not updated the service rules of the non-teaching staff either in conformity with the rule of the 3rd respondent or with the rules of the 2nd respondent. It is further stated that the 3rd respondent, vide G.O.Ms.No.411, General Administration department dated 18.07.2011 issued orders declaring that the pass in accounts test for executive officers is not equivalent to pass in the accounts test for sub-ordinate officers part-I and part-II. Later, the 3rd respondent clarified that Government servants who passed accounts test for sub-ordinate officers part-I and II can be exempted from passing accounts test for executive officers, but the Government servants who have passed accounts test for executive officers cannot be exempted from a pass in accounts test for sub-ordinate officers part I and II.

5. The 3rd respondent, vide letter dated 12.04.2017 communicated the mandatory guidelines made out in report dated

27.01.2017 to all the universities, as per which, *in addition to the departmental tests conducted by AP Public Service Commission, the Universities are required to conduct standardized tests covering statutory provisions, statutes, academic regulations, affiliation rules, service rules, accounts rules etc.* As such, the claim of the petitioners that the departmental tests conducted by the 1st respondent is to be considered for their promotions cannot be sustained as the 1st respondent university is not authorized to conduct departmental tests. The departmental test conducted by the 1st respondent university, which is a statutory body cannot override the departmental test conducted by the APPSC which admittedly is a constitutional body. The advice of the 2nd respondent to all the universities is with a view to improve quality in administrative governance and avoid administrative and financial irregularities. It is further stated that the 3rd respondent has extended State Sub-Ordinate Service Rules to all universities vide Government letter bearing No.1398958/UE/A2/2021, dated 03.11.2021. The impugned resolution passed by the 1st respondent university is part of administrative reforms and the same need not be interfered with by this Court. Hence, requested to dismiss the writ petition.

6. The 8th respondent filed a counter affidavit in similar lines to that of the 2nd respondent, however, it was specifically contended that the respondent university received recommendations of APSCHE on

04.09.2017; that Andhra Pradesh Public Service Commission conducted departmental tests in November – 2017, May – 2018 and November – 2018 wherein, all the petitioners have participated, however, being unsuccessful in the said examination, the present writ petition is filed. Hence, requested to dismiss the writ petition.

7. Sri. P.B. Vijay Kumar, learned Senior Counsel appearing for Smt. A.V. Laxmi, learned counsel for the petitioners; Sri. O. Udaya Kumar, learned Standing Counsel for 1st respondent, Smt. K. Radhika, learned counsel for the 2nd respondent and Sri. S. Harinath Reddy, learned counsel for respondent Nos.4 to 12.

8. During the course of arguments, learned counsel for the petitioners submits that the impugned resolution dated 13.10.2017, passed pursuant to the letter dated 04.09.2017 issued by the 2nd respondent, is arbitrary, without jurisdiction and contrary to the provisions of the Andhra Pradesh Universities Act, 1991. It is contended that the 1st respondent University, being an autonomous statutory body, framed the Service Cadre Rules for its non-teaching staff, which were approved by the Board of Management on 11.07.1992. In accordance with the said Rules, the petitioners passed the departmental tests conducted by the University and became eligible for promotion. The learned counsel submits that the 2nd respondent has no authority to direct the 1st respondent University to conduct departmental tests through 2nd

respondent or to alter the existing Service Cadre Rules. It is further contended that the Executive Council of the 1st respondent mechanically acted upon the advice of the 2nd respondent, thereby compromising the statutory autonomy of the University. Since the Cadre Rules have not been amended in accordance with law, the respondents cannot impose APPSC Accounts Tests as an additional condition for promotion. Hence, requested to set aside the impugned proceedings.

9. On the other hand, learned Standing Counsel for the respondent university submits that the impugned resolution is valid and was passed by the Executive Council of the 1st respondent University in exercise of its powers under Sections 19(7) and 19(8) of the Andhra Pradesh Universities Act, 1991. It is contended that the University's Service Rules were not updated in accordance with the Government guidelines and the recommendations of the Andhra Pradesh State Council of Higher Education. The 2nd respondent, being a constitutional body, is the competent authority to conduct departmental tests, and the University cannot conduct such tests on its own. The impugned resolution was passed to ensure uniform standards, improve administrative efficiency, and prevent financial irregularities. The learned counsel further submits that all the petitioners participated in the APPSC departmental examinations conducted subsequent to impugned resolution, few petitioners succeeded and were promoted to the next higher cadre but,

certain petitioners failed to qualify. Having participated in the selection process without objection, they cannot now challenge the impugned proceedings. Therefore, the writ petition is liable to be dismissed.

10. Perused the entire material available on record. The petitioners, who are non-teaching employees of the 1st respondent University, challenged the proceedings dated 04.09.2017 issued by the 2nd respondent and the consequential Resolution dated 13.10.2017 passed by the Executive Council of the 1st respondent University, whereby departmental tests for promotion to the posts of Senior Assistant and Assistant Registrar were directed to be conducted through the 2nd respondent – Andhra Pradesh Public Service Commission (APPSC). It is the case of the petitioners that as per the Service Cadre Rules approved by the respondent University in the year 1992 the University itself can conduct departmental tests and that the 2nd respondent had no authority to interfere with the autonomy of the respondent University or alter the existing service conditions. However, from the material available on record, it can be seen that the Executive Council, being the competent authority under Sections 19(7) and 19(8) of the Andhra Pradesh Universities Act, 1991, is empowered to regulate the conditions of service of the non-teaching staff and to take administrative decisions concerning promotions. Sections 19(7) and 19(8) of the Andhra Pradesh Universities Act, 1991 reads as under:

> **Section 19(7):** Gives the Executive Council the power to appoint, dismiss, remove, or suspend any member of the non-teaching staff of the university.
>
> **Section 19(8):** Gives the Executive Council the power to fix the pay and financial allowances (emoluments) for the employees of the university.

11. The impugned resolution was passed by the Executive Council in the exercise of its statutory powers, keeping in view the recommendations of the Andhra Pradesh State Council of Higher Education and the need to maintain uniform standards in departmental examinations. Merely because the University had earlier conducted departmental tests does not preclude it from adopting a different procedure in the interest of administrative efficiency and uniformity.

12. It can also be observed that, pursuant to the impugned resolution, many of the petitioners have participated in the departmental examinations conducted by the APPSC, successfully qualified therein, and were consequently promoted to the next higher post. The remaining petitioners also participated in the said examinations without raising any objection but could not qualify. Having voluntarily subjected themselves to the selection process under the impugned resolution and having taken a chance of securing promotion, the petitioners cannot now turn around and challenge the very procedure to which they had willingly submitted. It is a settled principle of law that a candidate who participates in a selection

process without protest and takes a chance of being selected is estopped from questioning the process after being unsuccessful. The said list of the petitioners is as under

Petitioner No.	Name of the Employee	Date of passing of APPSC Departmental Test	Promoted to next level post	Remarks
1	P Adinaraya Reddy	Not passed exam	Nil	Nil
2	R Kesava Reddy R Kesava Reddy S/o R Narigappa aged 54 years Superintendent S K University Anantapuramu515001 A P		Retired from the Service	Retired from the Service
03	Y Rajamma Y Rajamma D/o Y Viswanatham Late aged 52 years Superintendent S K University Anantapuramu515001 A P	May-2019	Assistant Registrar (Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2023, dated.23.11.2023)	Promoted based on the APPSC Departmental Test
04	B Eswaraiah B Eswaraiah S/o B Bayanna aged 50 years Senior Assistant S K University Anantapuramu515001 A P	November-2020	Superintendent (Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2023, dated.23.11.2023)	Promoted based on the APPSC Departmental Test
05	M Sreenivasulu M Sreenivasulu S/o M Venkata Ramudu aged 45 years Senior Assistant S K University Anantapuramu515001	May-2019	Superintendent (Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2023, dated.23.11.2023)	Promoted based on the APPSC Departmental Test

	A P			
06	M Naresh	Passed Appsc departmental exam	Senior Assistant (Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2025, dated.23.11.2025)	Promoted based on the APPSC Departmental Test
07	V Kristappa	Passed APPSC departmental exam		
08	A VEERA REDDY	NOT PASSED		
9	S Venkata Ravana S Venkata Ravana S/o S Linganna aged 54 years Senior Assistant S K University Anantapuramu515001 AP			Retired from the Service
10	N Kesava Reddy N Kesava Reddy S/o N Subbarayudu aged 56 years Superintendent S K University Anantapuramu515001 AP			Retired from the Service
11	K Venakatesulu	Not passed exam	Now working as Senior Assistant	
12	N Ananda Raju N Ananda Raju S/o N Rangaiah aged 43 years Superintendent S K University Anantapuramu515001 A P	May-2019	Assistant Registrar (Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2023, dated.23.11.2023)	Promoted based on the APPSC Departmental Test
13	K Maruthi	Passed APPSC departmental	Now he is being promoted referred to departmental promotion committee	Promoted based on the APPSC Departmental

		test		Test
14	M Subramanyam	Not passed departmental exam	Now working as Junior Assistant	
15	M Raju	Not passed departmental exam	Now working as superintendent	
16	J Govinda Rajulu	Not passed departmental exam	Now working as Junior Assistant going to retired in December-2026	
17	M Santha Kumar M Santha Kumar S/o M Virupanna aged 43 years Junior AssistantS K University Anantapuramu515001 AP	November-2020	Senior Assistant (Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2024, dated.02.12.2024)	Promoted based on the APPSC Departmental Test
18	D Prathap reddy	Not passed	Now working as Junior Assistant	
19	D Murali D Murali S/o D Anand aged 41 years Senior Assistant S K University Anantapuramu515001 AP			Promoted based on the APPSC Departmental Test
20	M V Siva Reddy M V Siva Reddy S/o M Venkata Reddy aged 54 years Deputy Registrar S K University Anantapuramu515001 AP			Retired from the Service
21	T Shyam sundar	Retired from the serivce		
22	N lakhmi Narashimulu	Now working as Junior Assistant and going to		

		retired in August-2026		
23	R Chandra Sekhar R Chandra Sekhar S/o R Muvthappa Late aged 56 years Superintendent S K University Anantapuramu515001 AP			Retired from the Service
24	CShantha Lingam	Passed APPSc test	Now working as senior Assistant	
25	C Rama Mohan C Rama Mohan S/o C Linganna Late aged 44 years Junior Assistant S K University Anantapuramu515001 AP			Promoted based on the APPSC Departmental Test
26	R Nagabuhsanam	Not passed	Now working as senior assistant	
27	M Suresh Reddy M Suresh Reddy S/o M Ranga Reddy aged 30 years Junior Assistant S K University Anantapuramu515001 A P	November-2018	Senior Assistant (Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2024, dated.02.12.2024)	Promoted based on the APPSC Departmental Test
28	T Rohith Kumar reddy	Passed APPSc departmental exam	Now working as Junior assistant	
29	V Govinda Reddy V Govinda Reddy S/o V Anjanaiah aged 51 years Senior Assistant S K University Anantapuramu515001 A P	May-2019	Superintendent (Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2023, dated.23.11.2023)	Promoted based on the APPSC Departmental Test

30	S Ramunaik	Not passed	Now working as superintendent	
31	`S Chinna Peddanna	Not passed	Now working as junior assistant	
32	D Naga Munindra D Naga Munindra S/o D Subbanna aged 52 years Junior Assistant S K University Anantapuramu515001 AP			Retired from the Service
33	B Venkata Ramudu B Venkata Ramudu S/o B Venkatappa aged 49 years Superintendent S K University Anantapuramu515001 A P	November-2021	Assistant Registrar (Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2023, dated.23.11.2023)	Promoted based on the APPSC Departmental Test
34	S Basava Raju S Basava Raju S/o Veera Badraiah aged 40 years Junior Assistant S K University Anantapuramu515001 AP	May-2019	Senior Assistant (Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2024, dated.02.12.2024)	Promoted based on the APPSC Departmental Test
35	J Siva Prasad J Siva Prasad S/o J Katamaiah aged 37 years Junior Assistant S K University Anantapuramu515001 AP		(Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2024, dated.02.12.2024)	Promoted based on the APPSC Departmental Test
36	E Govindu	Passed departmental test	Promoted to junior library assistant	
37	K Subbarao K Subbarao S/o K S Prakash Rao aged 52 years Junior Assistant S K University Anantapuramu515001 AP			Retired from the Service

38	H Chinnappa H Chinnappa S/o H Hanumanthappa aged 56 years Senior Assistant S K University Anantapuramu515001 AP			Retired from the Service
39	N Vijaya N Vijaya D/o N Venkataiah aged 51 years Senior Assistant S K University Anantapuramu515001 AP		(Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2024, dated.02.12.2024)	Promoted based on the APPSC Departmental Test
40	B Kesava Kumar B Kesava Kumar S/o B Krishna Murthy aged 40 years Junior Assistant S K University Anantapuramu515001 AP	November-2020	Senior Assistant (Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2024, dated.02.12.2024)	Promoted based on the APPSC Departmental
41	P Venkatesh P Venkatesh S/o P Narayana aged 34 years Junior Assistant S K University Anantapuramu515001 AP	May-2019	Senior Assistant (Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2024, dated.02.12.2024)	Promoted based on the APPSC Departmental Test
42	D Chinna Narayana		Retired from the serive	
43	M Prabhakar M Prabhakar S/o M Bayanna aged 55 years Senior Assistant S K University Anantapuramu515001 AP			Retired from the Service
44	B Dharmaiah	Not passed	Now working as senior assistant	

45	S Sreeram Naik	Not passed	Now working as Assistant Registrar	
46	S Govindu S Govindu S/o S Chinna Peddanna Late aged 41 years Superintendent S K University Anantapuramu515001 A P	May-2020	Superintendent (Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2023, dated.23.11.2023)	Promoted based on the APPSC Departmental Test
47	B Rama Krishna B Rama Krishna S/o B Chandrayudu aged 53 years Senior Assistant S K University Anantapuramu515001 A P	May-2018	Superintendent (Vide proceedings No.SKU/N.T.Estt/E1/Promotions/2023, dated.23.11.2023)	Promoted based on the APPSC Departmental Test

13. It can be seen that petitioner Nos. 3, 4, 5, 6, 12, 13, 17, 19, 25, 27, 29, 33, 34, 35, 39, 40, 41, 46, and 47 have passed the departmental tests conducted by the 2nd respondent and were promoted to the next higher cadre. Petitioner Nos. 2, 9, 10, 20, 21, 23, 32, 37, 38, 42, and 43 got retired from service upon attaining the age of superannuation. However, petitioner No.1, 8, 11, 14, 15, 16, 18, 22, 26, 30, 31, 44 and 45 have not passed the departmental tests conducted by the 2nd respondent. Having taken part in the examination process with full knowledge that they would be promoted if they had passed the examination, the petitioners waived their right to question the impugned resolution passed by the respondent university. It is a well settled principle of law that when a candidate appears at an examination without objection and is

subsequently found to be not successful, a challenge to the process is precluded. The question of entertaining a petition challenging an examination would not arise where a candidate has appeared and participated. He or she cannot subsequently turn around and contend that the process was unfair or that there was a lacuna therein, merely because result is not palatable. The Hon'ble Supreme Court of India, in ***Tajvir Singh Sodhi and Ors., Vs. The State of Jammu and Kashmir and Ors.,***[1] while dealing with the principle of estoppels by participation held that challenge by unsuccessful candidates should generally not be entertained by Courts under Article 226 of the Constitution of India, as their participation amounts to implied acquiescence to the rules governing the examination. The relevant paragraph reads as under:

> "13.1. It is therefore trite that candidates, having taken part in the selection process without any demur or protest, cannot challenge the same after having been declared unsuccessful. The candidates cannot approbate and reprobate at the same time. In other words, simply because the result of the selection process is not palatable to a candidate, he cannot allege that the process of interview was unfair or that there was some lacuna in the process. Therefore, we find that the writ petitioners in these cases, could not have questioned before a Court of law, the rationale behind recasting the selection criteria, as they willingly took part in the selection process even after the criteria had been so recast.

[1] (2023) 17 SCC 147

> Their candidature was not withdrawn in light of the amended criteria. A challenge was thrown against the same only after they had been declared unsuccessful in the selection process, at which stage, the challenge ought not to have been entertained in light of the principle of waiver and acquiescence."

14. In view of the foregoing discussion, this Court finds no merits in the present writ petition and the same deserves to be dismissed.

15. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in this Petition shall stand closed.

JUSTICE V.SUJATHA

07.08.2026
Gss