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APHC010245432025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3460]
(Special Original Jurisdiction)

TUESDAY, THE 21st DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 12413/2025

Between:

1. B.MATHESU,, S/O SUBBAIAH, AGED ABOUT 60 YEARS, OCC MAN MAZDOOR, O/O CONTROL OF EXECUTIVE ENGINEER C AND B DIVISION-V, SRISAILAM PROJECT, SRISAILAM. R/O D.NO.6-28-112, NEAR WISDOM SCHOOL, SUNDIPENTA, SRISAILAM, KURNOOL DISTRICT, NOW NANDYAL DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRI. SECRETARY TO THE GOVT., WATER RESOURCE DEPARTMENT, SECRETARIAT VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS SPECIAL CHIEF SECRETARY, FINANCE (HR.IV-FR AND LR) DEPARTMENT. SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT.

3. THE ENGINEER INCHIEF, WATER RESOURCE DEPARTMENT, CURRENCYNAGAR, VIJAYAWADA, NTR DISTRICT.
4. THE CHIEF ENGINEER, WATER RESOURCES DEPARTMENT, NANDYAL DISTRICT.
5. THE SUPERINTENDING ENGINEER, CAMPS AND BUILDING DIVISION, NSRS SRISAILAM PROJECT, NANDYAL, NANDYAL DISTRICT.
6. THE EXECUTIVE ENGINEER, CAMPS AND BUILDING DIVISION, NSRS SRISAILAM PROJECT, NANDYAL, NANDYAL DISTRICT.
7. THE DEPUTY EXECUTIVE ENGINEER, C AND B SUB DIVISION-1, CAMPS AND BUILDINGS DIVISION, NSRS SRISAILAM PROJECT, NANDYAL, NANDYAL DISTRICT.

...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 a writ, order or direction more particularly in the nature of writ of mandamus declaring the action of the 6th Respondent in informing the petitioner that he will relieved from duty w.e.f., 31-05-2025 on attaining the age of superannuation of 60 vide impugned notice No. EE/CandB/AB/EC.II/35M, dt.07-01-2025, illegal, arbitrary and contrary to the law and consequently declare that the petitioner is entitled to continue in service up to the age of 62 years by setting aside the impugned notice No EE/CandB/AB/EC.II/35M, dt.07- 01-2025 and to pass such other orders.

IA NO: 1 OF 2025

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 direct the Respondents to continue the petitioner into service as NMR MM by suspending the

impugned notice No. EE/C&B/AB/EC.II/35M, dt.07-01- 2025 pending disposal of the writ petition and to pass such other orders.

Counsel for the Petitioner:

1. NICHENAMETLA NAGARAJU

Counsel for the Respondent(S):

1. GP FOR SERVICES I
2. GP FOR SERVICES II

WRIT PETITION NO: 12845/2025

Between:

1. SRI. BOKKA NAGESWARA RAO, S/O SUBBARAYUDU, AGED 60 YEARS, OCC ATTENDER IN ZPH SCHOOL, R/O D. NO. 3-146, KOMMAYI CHERUVU, RAMALAYAM TEMPLE, CHEYYURU, EAST GODAVARI DISTRICT, ANDHRA PRADESH.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, SCHOOL EDUCATION DEPARTMENT SECRETARIAT, TULLUR, VELAGAPUDI, GUNTUR DISTRICT, ANDHRA PRADESH.
2. THE COMMISSIONER OF SCHOOL EDUCATION, GOVERNMENT OF ANDHRA PRADESH VENKATADRI TOWERS, OPP. DGP OFFICE BESIDES HAPPY RESORTS ATMAKUR, MANGALAGIRI, GUNTUR ANDHRA PRADESH.
3. THE REGIONAL JOINT DIRECTOR OF SCHOOL EDUCATION, MARKAPUR, PRAKASAM DISTRICT, ANDHRA PRADESH.

4. THE DISTRICT EDUCATIONAL OFFICER, MUMMIDIVARAM, DR. B.R. AMBEDKAR KONASEEMA DISTRICT, ANDHRA PRADESH.

5. ZILLA PARISHAD HIGH SCHOOL, REP BY ITS CHIEF EXECUTIVE OFFICER KAKINADA, EAST GODAVARI DISTRICT ANDHRA PRADESH.

6. THE HEAD MASTER, ZILLA PARISHAD HIGH SCHOOL CHEYYURU, KATRENIKOTA MANDAL DR. B.R AMBEDKAR KONASEEMA DISTRICT (ERSTWHILE EAST GODAVARI DISTRICT) ANDHRA PRADESH

...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 an appropriate writ more in the nature of Writ of Mandamus declaring the action of the Respondents more particularly the 5th Respondent in issuing a circular vide Rc.No.D5/509760/2025, Dated 20-01-2025 in not considering the case of the Petitioner for enhancement the age of superannuation of the Petitioner from 60 years to 62 years and consequently not fixing the pension as per revised scale of pay, on a par with the public servants in pursuance of the Ordinance passed by the States Assembly and implemented by the Government of Andhra Pradesh and thereby depriving the Petitioner of his service benefits etc., inception, as being Arbitrary, illegal, motivated and in violation of Articles 14 and 21 of the Constitution of India apart being against the principles of natural justice and consequently enhance the age of superannuation of the Petitioner from 60 to 62 years and issue such other writ or order or direction as deemed fit and proper in the circumstances of case.

IA NO: 1 OF 2025

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 direct the 5thRespondent to permit the Petitioners to attend duties till the age of attaining 62

years by suspending the operation of the proceedings Rc.No.D5/509760/2025, Dated 20-01-2025 issued by the 5th Respondent and pass such other orders.

Counsel for the Petitioner:

1. SRI VIJAY MATHUKUMILLI

Counsel for the Respondent(S):

1. GP FOR SCHOOL EDUCATION

WRIT PETITION NO: 12999/2025

Between:

1. N. RAMULU,, S/O. N. CHALAPATHI, AGED ABOUT 60 YEARS, OCC- JUNIOR LECTURER IN TYPEWRITING AND SHORTHAND O.A GROUP, GOVERNMENT JUNIOR COLLEGE, PAMIDI, ANANTHAPUR DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, INTERMEDIATE EDUCATION DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
2. THE COMMISSIONER, INTERMEDIATE EDUCATION DEPARTMENT, TADEPALLI, GUNTUR DISTRICT.
3. THE REGIONAL JOINT DIRECTOR, KADAPA, KADAPA DISTRICT.
4. THE PRINCIPAL, GOVERNMENT JUNIOR COLLEGE, PAMIDI, ANANTHAPUR DISTRICT.

...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 a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents not extending the benefit of age of superannuation from 60 years to 62 years to the petitioner as per G.O.Ms.No.15 Finance Department dated 31.01.2022 as highly illegal, arbitrary, discrimination and contrary to orders of this Hon'ble Court apart from violation of Article 14, 16 and 21 of the Constitution of India and consequently direct the respondents to continue the petitioner as Junior Lecturer in Typewriting and shorthand O.A. Grouptill attaining the age of 62 years with all consequential benefits and to pass such other orders.

IA NO: 1 OF 2025

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 direct the respondents to continue the petitioner service as Junior Lecturer in Typewriting and shorthand O.A Group up to the age of 62 years, pending disposal of the above writ petition and to pass such other orders.

Counsel for the Petitioner:

1. K SRINIVASA PRASAD

Counsel for the Respondent(S):

1. GP FOR SERVICES II

WRIT PETITION NO: 13065/2025

Between:

1. PATHAM SIVA SANKAR RAO, S/O. GOPALA RAO, AGED 60 YEARS, OCC. WORK INSPECTOR, VIJAYAWADA MUNICIPAL CORPORATION, R/O. CHINNAPULIPAKA VILLAGE, THOTLAVALLURU MANDAL, KRISHNA DISTRICT.

...PETITIONER

AND

1. THE STATE OF AP, REP BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI.

2. THE VIJAYAWADA MUNICIPAL CORPORATION, REP BY ITS COMMISSIONER, VIJAYAWADA.

...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 a Writ, order or orders particularly the Writ of Mandamus, declaring action of the respondents in orally directing to the petitioner not to attend/discharge duties from 30-5-2025 treating 60years as the date of superannuation and not continuing till 62years i.e., 30-5-2027 despite the issuance the GO.Ms.No.26 dt.19.02.2019 treating the NMR employees as regular by releasing the benefits since not completed 5 years as on 25-11-1993 as per GO.Ms.No.212 dt.22-4-1994, G.O.Ms.No.15, dt.31.01.2022 as illegal, arbitrary, unconstitutional, violative of Article 14,16, and 21 of the Constitution of India and consequently direct the respondents to continue the petitioner as work inspector, Vijayawada Municipal Corporation, till attaining the age of 62 years, i.e., 30-5-2027 with all service benefits and pass

IA NO: 1 OF 2025

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 direct the respondents to continue the petitioner as Work Inspector, till the age of 62 years i.e., 30-5-2027 in the Vijayawada Municipal Corporation, interest of justice pending disposal of the main Writ Petition and pass such other orders.

Counsel for the Petitioner:

1. CHUKKA KRANTHI KIRAN

Counsel for the Respondent(S):

1. GP FOR SERVICES I
2. S.V.S.S.SIVARAM SC For VMC

WRIT PETITION NO: 13648/2025

Between:

1. DR K C KALMALAKARA REDDY, S/O. LATE K. CHINNAMA REDDY, AGED ABOUT 60 YEARS, OCC: JUNIOR LECTURER IN MLT, RKSR JUNIOR COLLEGE, KARVETI NAGAR, CHITTOOR DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, INTERMEDIATE EDUCATION DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
2. THE COMMISSIONER, INTERMEDIATE EDUCATION DEPARTMENT, TADEPALLI, GUNTUR DISTRFCT.
3. THE REGIONAL JOINT DIRECTOR, KADAPA, KADAPA DISTRICT.
4. THE PRINCIPAL, RKSR GOVERNMENT JUNIOR COLLEGE, KARVETI NAGAR, CHITTOOR DISTRICT.

...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 a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents not extending the benefit of age of superannuation from 60 years to 62 years to the petitioner as per G.O. Ms. No. 15 Finance Department dated 31.01.2022 as highly

illegal, arbitrary, discrimination and contrary to orders of this Hon'ble Court apart from violation of Article 14, 16 and 21 of the Constitution of India and consequently direct the respondents to continue the petitioner as Junior Lecturer in MLT till attaining the age of 62 years with all consequential benefits and to pass such other orders.

IA NO: 1 OF 2025

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 direct the respondents to continue the petitioner service as Junior Lecturer in MLT up to the age of 62 years, pending disposal of the above writ petition and to pass such other orders.

IA NO: 2 OF 2025

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 grant leave to file counter affidavit in WP.No.13648 of 2025 in the interest of justice and may be pleased to pass such other orders.

Counsel for the Petitioner:

1. K SRINIVASA PRASAD

Counsel for the Respondent(S):

1. GP FOR SERVICES II

WRIT PETITION NO:13950/2025

Between:

1. T KRUPAKAR, S/O. T. SWAMI DAS, AGED ABOUT 60 YEARS, OCC JUNIOR LECTURER IN ELECTRICAL TECHNICIAN (VOCATIONAL), GOVERNMENT JUNIOR COLLEGE, ALUR, KURNOOL DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, INTERMEDIATE EDUCATION DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
2. THE COMMISSIONER, INTERMEDIATE EDUCATION DEPARTMENT, TADEPALLI, GUNTUR DISTRICT.
3. THE REGIONAL JOINT DIRECTOR, KADAPA, KADAPA DISTRICT.
4. THE PRINCIPAL, GOVERNMENT JUNIOR COLLEGE, ALUR, KURNOOL DISTRICT.

...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 a Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents not extending the benefit of age of superannuation from 60 years to 62 years to the petitioner as per G.O. Ms. No. 15 Finance Department dated 31.01.2022 as highly illegal, arbitrary, discrimination and contrary to orders of this Hon'ble Court apart from violation of Article 14, 16 and 21 of the Constitution of India and consequently direct the respondents to continue the petitioner as Junior Lecturer in Electrical Technician (Vocational) till attaining the age of 62 years with all consequential benefits and to pass such other orders.

IA NO: 1 OF 2025

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 direct the respondents to continue the petitioner service as Junior Lecturer in Electrical Technician (Vocational) up to the age of 62 years, pending disposal of the above writ petition and to pass such other orders.

IA NO: 2 OF 2025

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 grant leave to file counter affidavit in WP.No.13950 of 2025 in the interest of justice and may be pleased to pass such other orders.

Counsel for the Petitioner:

1. K SRINIVASA PRASAD

Counsel for the Respondent(S):

1. GP FOR SERVICES II

WRIT PETITION NO: 15094/2025

Between:

1. GSK BURAN SAHEB, S/O G RAHIMAN, AGED ABOUT 60 YEARS NON-TECHNICAL WORK INSPECTOR, O/O DEPUTY EXECUTIVE ENGINEER, PRI SUB DIVISION, PEDAKORAPADU(G AMARAVATHI, PALNADU DISTRICT

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, DEPT OF PANCHAYAT RAJ AND RURAL DEVELOPMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
2. THE ENGINEERINCHIEF PANCHAYAT RAJ DEPARTMENT, GOVT, OF A.P, OPP- PWD GROUND, BANDHAR ROAD, VIJAYAWADA, N.T.R. DIST.
3. THE SUPERINTENDENT ENGINEER, P.R.DEPT. PALNADU DISTRICT, Z.P.COMPOUND WAIL, GUNTUR.

4. THE EXECUTIVE ENGINEER, PANCHAYATRAJ DEPT, BAPATIA, BAPATIA DIST.

5. THE DEPUTY EXECUTIVE ENGINEER, P.R.I, PEDAKAKANI, PALNADU DISTRICT.

6. THE ASSISTANT ENGINEER, P.R.I, M.P.P, KROSURE, KROSURE MARIDAL, PALNADU DISTRICT

...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 a Writ Order or Direction particularly one in the nature of Writ of Mandamus to declare the action of the respondents in orally directing the petitioner not to attend the duties from 30.06.2025 on the ground of superannuation and further not continuing the petitioner up to 62 years as illegal, arbitrary, contrary to law and violation of Article 14, 16 and 21 of Constitution of India and against the principles of natural justice and consequently direct the respondents to continue the petitioner as Non-Technical Work Inspector up to 62 years and pay the all attendant and consequential benefits to the petitioner and pass such other orders.

IA NO: 1 OF 2025

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 direct the respondents to continue the petitioner as Non- Technical Work Inspector up to 62 years by considering G.O.Ms.No.15 dated 31.01.2022 pending disposal of the above Writ Petition and also pass such other orders.

Counsel for the Petitioner:

1. Pilla N.V.L. Narayana Aditya

Counsel for the Respondent(S):

1. GP FOR SERVICES I

WRIT PETITION NO: 15335/2025

Between:

1. SRI. DEVARASETTY CHANDRA MOULI,, S/O. D. VEERA NARAYANA, AGED ABOUT 60 YEARS, OCC SGT (MTS), WORKING AT M.P.P. SCHOOL, M. KOTHAPALLI VILLAGE, LAKKIREDDIPALLI MANDAL, ANNAMAYYA DISTRICT, A.P. R/O. D. NO. 2/21, JANDRAPALLI VILLAGE, DAPPEPALLI-516257, LAKKIREDDIPALLI MANDAL, ANNAMAYYA DISTRICT, A.P.
2. SRI. A. YERIKALAIAH,, S/O. SUBBAIAH, AGED ABOUT 60 YEARS, OCC SGT (MTS), WORKING AT M.P.P. SCHOOL, THIRUGUDUPALLI, R/O. BALIREDDIPALLI VILLAGE-516105, OBULAVARI PALLI MANDAL, ANNAMAYYA DISTRICT, A.P.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, SCHOOL EDUCATION DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI AT AMARAVATHI, GUNTUR DISTRICT, A.P.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF FINANCE, SECRETARIAT BUILDINGS, VELAGAPUDI AT AMARAVATHI, GUNTUR DISTRICT, A.P.

3. THE COMMISSIONER OF EDUCATION, GOVERNMENT OF ANDHRA PRADESH, NEAR KHANDARI HOTEL, VIJAYAWADA, NTR DISTRICT, A.P.
4. THE DISTRICT COLLECTOR, ANNAMAYYA DISTRICT, RAYACHOTI, ANNAMAYYA DISTRICT, A.P.
5. THE DISTRICT EDUCATION OFFICER, ANNAMAYYA DISTRICT, RAYACHOTI, ANNAMAYYA DISTRICT, A.P.
6. THE MANDAL EDUCATION OFFICER, L.R. PALLI MANDAL, ANNAMAYYA DISTRICT, A.P.
7. THE MANDAL EDUCATION OFFICER, OBULAVARIPALLI, ANNAMAYYA DISTRICT, A.P.

...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 an appropriate Writ, order, orders or directions more particularly one in the nature of Writ of Mandamus declaring the inaction of the Respondent Authorities to enhance the age of superannuation from 60 years to 62 years of the Petitioners, without considering the Petitioners Representation, dt.27.03.2025 as illegal, arbitrary, biased. unconstitutional and against the principles of natural justice, and against the Articles 14, 16, 21 and 309 of the Constitution of India, consequently, direct the Respondents to continue the Petitioners in the same posts with the same salary upto the age of 62 years, and to pass such other orders.

IA NO: 1 OF 2025

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 direct the Respondent Authorities i.e., Particularly Respondent Nos.1 to 3 to continue the Petitioners in the same posts with the same salary upto finalization of the enhancement of the age of superannuation from

60 years to 62 years of the Petitioners, pending disposal of the above Writ Petition and to pass such other orders.

Counsel for the Petitioner(S):

1. M KISHORE BABU

Counsel for the Respondent(S):

1. GP FOR SERVICES I
2. GP FOR SERVICES II

WRIT PETITION NO: 16155/2025

Between:

1. BANDLA VEERA PRASADA RAO, S/O BHADRAIAH, AGED ABOUT 60 YERARS, CHIEF EXECUTIVE OFFICER, SETSRI, SRIKAKULAM. PLOT NO. 103, SURYA TEJA APPARTMENT, NAKKA VEEDHI,NEAR ZILLA PAFISHAD, SRIKAKULAM. 532001.

...PETITIONER

AND

1. THE STATE OF AP, REP BY ITS PRL. SECRETARY YOUTH ADVANCEMENT, - TOURISM AND CULTURE (SPORTS AND YS) DEPARTMENT, BLOCK NO.ILL, 1ST FLOOR, SECRETARIAT, VELAGAPUDI, AMARAVATHI, ANDHRA PRADESH.
2. THE MANAGING DIRECTOR, APSTEP, O/O. COMMISSIONER OF YOUTH SERVICES, D.NO. 59A-21/7-1/2A, RR GARDENS, OPP. CANARA BANK (SME BRANCH), PATAMATA, VIJAYAWADA-520007.
3. THE COLLECTOR AND CHAIRMAN, SETSRI, SRIKAKULAM. SRIKAKULAM DISTRIT.

...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 a Writ or order, direction more particularly one in the nature of Writ of Mandamus or other appropriate writ, declaring the action of the respondents, in not implementing the enhancement of the age of superannuation from 60 to 62 years, in pursuance of letter Rc.No.1443/APSTEP/Admin/2014, dated 07.01.2025 send to 1st respondent by the 2nd respondent, for enhancement of retirement age from 60 to 62 years, since 46 employees are working against sanctioned strength of 201 employees and there is no fresh recruitments to fill the vacancy, is illegal, arbitrary, unjust and in violation of Articles 14, 16 and 21 of constitution of India and consequently set aside the G.O.Rt.NollS Youth Advancement Tourism and Culture (Sps, and YS) department dated 05.06.2025 issued by 1st respondent notifying the date of retirement as 30.06.2025 and direct the respondents to continue the petitioner in the post of chief executive office, SETSRI Srikakulam, till he attains the age of superannuation of 62 years and to pass such other orders.

IA NO: 1 OF 2025

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 direct the respondents to continue the petitioner in service, till he attains the age of superannuation of 62 years in pursuance of letter Rc.No.1443/APSTEP/Admin/2014, dated 07.01.2025 send to 1st respondent by the 2nd respondent, for enhancement of retirement age from 60 to 62 years, by suspending the G.O.Rt.NollS Youth Advancement Tourism and Culture (Sps.,&YS) department dated 05.06.2025 issued by the 1st respondent, pending disposal of the above writ petition and to pass such other orders.

Counsel for the Petitioner:

1. V PADMANABHA RAO

Counsel for the Respondent(S):

1. GP FOR SERVICES I

The Court made the following:

HON'BLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION Nos.12413, 12845, 12999, 13065, 13648, 13950, 15094, 15335 and 16155 of 2025

COMMON ORDER:

1. These Writ Petitions are filed by persons engaged on Temporary/Contractual/Outsourcing/NMR basis etc., questioning the action of Respondents in not continuing the Petitioners in service till they attain the age of 62 years of superannuation on par with the regular employees as provided *vide* G.O.Ms.No.15, Finance Department, dated 31.01.2022.

2. The Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984 was amended in the year 2014 and age of superannuation was enhanced upto 60 years and this benefit was extended to all over a period of time. The Act was again amended in the year 2022 and the superannuation age was enhanced to 62 years. The reason for the enhancement of age of superannuation is the increased age of life expectancy to 70 years. This is of relevance for this case and the statement of objects and reasons are extracted below;

> *"The age of superannuation of Government employees has been prescribed as 55 years vide the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984.*

For the Last Grade Service employees, the age of superannuation has been fixed as 60 years.

The Principal Act has been further amended during the year 2014 enhancing the age of superannuation from 58 years to 60 years to the State Government employees etc., w.e.f. 02.06.2014 vide the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) (Amendment) Act, 2014 (Act No.4 of 2014).

There has been significant improvement in the average life expectancy compared to that in 2014. As per the World Health Organization, the global average life expectancy in 2019 around 73 years and the average Indian lived up to 70 years. There have been improved health conditions in general also.

It is considered that in order to utilize the experience and expertise of the senior employees and considering the increased life expectancy and improved health conditions in general, proposed to enhance the current age of superannuation of 60 years to 62 years to all the State Government employees covered under the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984 *and to give effect to the decision from 01.01.2022. In order to give effect to the above, it is necessary to promulgate an ordinance."*

3. There has been a spate of litigation as to whether the enhanced age of superannuation would apply to the employees of the state-owned and controlled entities etc., to resolve these issues, the State

Government constituted a high-power committee to examine the issue in detail including financial implications. A report was submitted by the high-powered committee and the State Government agreeing to the recommendations, issued ***G.O.Ms No.45, dated 02.07.2026*** extending the benefit of enhanced age of superannuation to all the regular employees of the PSUs, Corporations and Societies included under Schedules IX and X of the Andhra Pradesh Reorganization Act, 2014 and the relevant portion of the G.O., reads as under;

> *"3. There were numerous representations to extend the same benefit to the employees working in the companies/corporations/Societies included in Schedules IX & X of A.P. Reorganization Act of 2014. Many employees who reached 60 years of age approached the courts for continuing in service and to enhance the age of superannuation. In many cases, there were interim orders in favor of employees to continue in the service up to age of 62 years.*
>
> *4. Under these circumstances, Government has reviewed and examined the legal implications, financial burden on state exchequer and administrative considerations in the said organizations.* ***After careful examination of all issues involved, hereby accord in principle approval for enhancement of age of superannuation from 60 to 62 years for regular employees of PSUs, Corporations and Societies included under Schedules IX and X of the Andhra Pradesh Reorganization Act-2014*** *retrospectively with effect from 01-01-2022 subject to the following."*

4. The Schedules IX and X of the Act have 89 entities and 107 entities respectively and all the regular employees of the Government and Government owned/controlled entities are now entitled to the enhanced age of superannuation.

5. The principal reason for enhancement of age as per the statement of objects and reasons of the Amendment Act 4 of 2022 as highlighted above is on account of increased life expectancy and improved health conditions in general. It is on this principle only that the age of superannuation for regular employees in PSUs, Corporations and Societies included under Schedules IX and X of the Andhra Pradesh Reorganization Act-2014 was enhanced.

6. Now, the issue is concerning the employees engaged on NMR, Temporary, Outsourcing, Contractual, Part-Time basis etc. for substantial period of time. Initially, the employment under the above mentioned categories was mostly for menial jobs, but with the passage of time, the above method of employment was extended to responsible posts, especially in teaching jobs. Going by the statement of objects and reasons of the amendment act as extracted and highlighted above, there is no reason to treat the non-regular employees differently as long as there is necessity and able to discharge the works to the satisfaction of the employer.

7. Once a conscious policy decision is taken to increase the age of superannuation of employees to 62 years on account of increased life expectancy and improved health conditions in general, retiring an individual on attaining the age of 60 years merely on account of his

nature of employment, while continuing the regular employee discharging the very same nature of work and in the same office upto 62 years, is odd and sounds irrational. This oddity is exaggerated when the employee is able and there is a requirement for such an employee.

8. The increased life expectancy and improved health conditions being the core reason for the enhanced age of superannuation, the same is uniform to all and there should not be any discrimination in extension of such benefit among the employees irrespective of the nature of employment. This is all the more so, when the similar benefit of enhancement of the age of superannuation from 58 to 60 years vide ***GOMs No.26 dated 19.02.2019*** was extended to the NMRs/Daily Wage/Full time/Part time/Contingent employees joined before the cut-off date i.e, 25-11-1993.

9. Though the cut-off is mentioned in the above GO., it appears that the benefit was extended to the individuals appointed thereafter, as in all the cases before this court, the enhancement is sought from 60 to 62 years irrespective of the date of appointment. There was no serious dispute for continuance from 58- 60 years at the first instance in any case.

10. In the light of the above, the Writ petitions are disposed of with the following directions;

(i) The State Government shall examine the issue and take a conscious decision about enhancement of age upto 62 years to non-regular employees working for a substantial number of years in State departments and State owned/controlled entities;

(ii) Till such time, the petitioners/non-regular employees in service shall be continued or till they attain the age of 62 years;

(iii) The petitioners who have retired on attaining the age of 60 years may be considered for re-engagement till 62 years in the event no alternative arrangement is made.

11. No order as to costs.

12. As a sequel, pending applications, if any, shall stand closed.

NYAPATHY VIJAY, J

Date: 21.07.2026

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HON'BLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION Nos.12413, 12845, 12999, 13065, 13648, 13950, 15094, 15335 and 16155 of 2025

Date: 21.07.2026

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