APHC010380392024

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

MONDAY, THE 27th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT PETITION NO: 19483 OF 2024

Between:

1. Dr L RAJANEESH BABU, S/o L. Ramarao Aged 45 years, Associate Professor of Anatomy C/o. Government Medical College Markapuram, Prakasam District, Andhra Pradesh - 523316.

2. . Dr R Sagar, S/o. R Anandaiah (Late), Aged About 39 Years, Assistant Professor Of Psychiatry, C/o. Government Medical College, Ongole, Prakasam District, Andhra Pradesh - 523001.

3. Dr Ramya Rachamanti, D/o. R Sivaji, Aged About 37 Years, Assistant Professor Of Pharmacology, Government Medical College, Guntur, Guntur District, Andhra Pradesh - 522004.

4. Dr John Richards Lingam,, S/o. Lingam Jaya Raju, Aged About 36 Years, Associate Professor Of General Medicine, C/o. Government Medical College, Markapuram, Prakasam District, Andhra Pradesh- 523316.

5. Dr Lakshmireddy Sravanthi, D/o LJ Devaraj, Aged About 34 Years, Assistant Professor Of General Surgery, C/o. Government Medical College, Ongole, Prakasam District - 523001.

6. Dr Sireesha Chava, D/o. Ch.V.V.S Prasad, Aged About 36 Years, Assistant Professor Of Microbiology, C/o. Government Medical College, Rajahmahendravaram, Andhra Pradesh - 533105.

7. Dr G S R Hareesh, S/o. G Subramanyam, Aged About 43 Years, Associate Professor Of General Surgery, C/o. Government Medical College, Ongole, Prakasam District, Andhra Pradesh - 523001.

8. Dr Ravi Teja India,, S/o India Franklin, Aged about 33 years. Assistant professor Paediatrics, C/o. Government Medical College and GGH, Ongole Prakasam District, Andhra Pradesh - 523001.

9. Dr Jakku Praneeth,, S/o JNSP Narayana Rao, Aged about 35 Years, Assistant Professor of Anaesthesia, Govt Medical College , Ongole, Prakasam District, Andhra Pradesh - 523001.

10. . Dr G. Purushotham, S/o. G. Muniraja, Aged about 42 Years, Associate Professor of General Surgery, C/o. Government Medical College, Ongole, Prakasam District, Andhra Pradesh - 523001.

11. . Dr Lakshmi Meena Jasti, D/o J V sathyamarayana. Aged about 43 Years, Association professor of General surgery. Government Medical College, Ongole, Prakasam District, Andhra Pradesh - 523001.

12. Dr M.Pradeep Kumar, S/o M.Aswantha Narayana Rao, Aged about 39 Years, Assistant professor of Community Medicine, Government Medical College, Ongole, Prakasam District, Andhra Pradesh - 523001.

...Petitioners

AND

1. THE STATE OF AP, Represented by its Principal Secretary, Health, Medical and Family Welfare Department, Secretariat Buildings, Velagapudi, Guntur District.

2. Director of Medical Education, Government of Andhra Pradesh, Old General Hospital premises. Hanumanpet, Vijayawada Krishna District-520003.

...Respondents

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 topleased to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus challenging the action of the Respondents in considering the spouse factor for promotions in terms of G.O.Ms. No 273 Health, Medical and Family Welfare (02) Department dated 21- 05-1999 for promotions under the 2nd Respondent and depriving the Petitioners of their placements in promotions during counselling as arbitrary, illegal, contrary to the Medical Education Service Rules issued G.O. Ms. No 154 on 04-05-2002 and violative of Articles 14, 16, 19 and 21 of Constitution of India and consequently to direct the Respondents to consider the merit-cum-seniority criteria instead of criteria laid down G.O.Ms. No 273 Health. Medical and Family Welfare (02) Department dated 21-05-1999 with respect to promotions by considering their past options during general transfers and pass

Counsel for the Petitioners: ARUN SHOWRI G

Counsel for the Respondents: GP FOR SERVICES IV

The Court made the following order:

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT PETITION NO: 19483/2024

ORDER:

This writ petition is filed seeking the following relief:

> *"…to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus challenging the action of the Respondents in considering the spouse factor for promotions in terms of G.O.Ms. No 273 Health, Medical and Family Welfare (02) Department dated 21- 05-1999 for promotions under the 2nd Respondent and depriving the Petitioners of their placements in promotions during counselling as arbitrary, illegal, contrary to the Medical Education Service Rules issued G.O. Ms. No 154 on 04-05-2002 and violative of Articles 14, 16, 19 and 21 of Constitution of India and consequently to direct the Respondents to consider the merit-cum-seniority criteria instead of criteria laid down G.O.Ms. No 273 Health. Medical and Family Welfare (02) Department dated 21-05-1999 with respect to promotions by considering their past options during general transfers…"*

2. Heard learned counsel for the petitioners and learned Assistant Government Pleader appearing for respondents.

3. The case of the petitioners is that they are working as Associate Professors under the 2nd respondent in various institutions. It is contended that, by virtue of Clause 2 of Paragraph No.4 of G.O.Ms.No.273, dated 21.05.1999, certain categories were given priority while posting on promotion, including employees whose spouses are working in Government service. Thereby, such provision confers an undue advantage on those employees and adversely affects others, including the petitioners. Hence, they challenged the action of the respondents in considering the spouse factor for promotions by filing the present writ petition.

4. As seen from G.O.Ms.No.273, various considerations are provided under Paragraph No.4, Clause 2 of the said G.O., such as spouses working in Government, principal office bearers of recognised associations, employees who have one year of service left for retirement, physically handicapped persons, and widows/unmarried women, who are to be given priority, as far as possible, for being accommodated at appropriate places. The said G.O., issued on 21.05.1999, has been in force from the date of its issuance. The State, keeping in view the welfare of its employees and to ensure effective administration, has framed such transfer policies to accommodate employees at suitable places based on their requirements. As such, the same cannot be called in question.

5. However, the petitioners have not challenged the said G.O.; they have only questioned the action of the respondents in considering the spouse factor, i.e., employees whose spouses are working in Government, as a priority criterion while effecting postings on promotion. Once the policy embodied in the said G.O. is in force, the respondents are bound to implement the same. As such, no mandamus can be issued against a State policy unless the same is challenged and held to be ultra vires.

6. In view of the same, this court finds no merit in this writ petition.

7. Accordingly, the writ petition is dismissed.

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

JUSTICE BALAJI MEDAMALLI

Date: 27.07.2026
Dvs
Whether the order is:

Speaking	☑	Reasoned	☑
Reportable		Non-reportable	☑

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

143

WRIT PETITION NO: 19483/2024

Dt: 27.07.2026

Dvs