IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FOURTH DAY OF APRIL

TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HON'BLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 8728 OF 2024

Between:

1. Dr.M.Obulesu, S/o.M.Krishna Murthy, Aged about 37 years, Occ: Assistant Professor (on Contract), Department of Telugu, College of Arts, Commerce and Management, Rayalaseema University, Kurnool, Kurnool District, Andhra Pradesh.
2. Dr.U.Nagi Reddy, S/o.U.Narayana Swamy, Aged about 36 years, Occ: Assistant Professor (on Contract), Department of Mathematics, College of Science, Rayalaseema University, Kurnool Kurnool District, Andhra Pradesh.
3. Dr.B.Sainath, S/o.B.Pedda Nagamuni, Aged about 36 years, Occ: Assistant Professor (on Contract), Department of OR and SQC, College of Science, Rayalaseema University, Kurnool, Kurnool District, Andhra Pradesh.

...PETITIONERS

AND

1. The State of Andhra Pradesh, Rep.by its Principal Secretary, Higher Education (UE) Department, A.P. Secretariat, Velagapudi, Amaravati, Guntur District.
2. The State of Andhra Pradesh, Rep.by its Principal Secretary, Finance Department, A.P. Secretariat, Velagapudi, Amaravati, Guntur District.
3. Rayalaseema University, Kurnool, Kurnool District, Andhra Pradesh, Rep.by its Registrar.

4. The Vice Chancellor, Rayalaseema University, Kurnool, Kurnool District, Andhra Pradesh.

...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 to issue a writ, order or direction more particularly one in the nature of a ***WRIT OF MANDAMUS*** declaring the action of the 3rd Respondent University in not paying the enhanced remuneration of an additional amount of Rs.5,000/- for every month from August, 2022 onwards to the petitioners 1 and 2 and in not giving annual increment of Rs. 1,000/- for every year of continuous service i.e. from 2018 to 2023 to the petitioners in terms of G.O. Rt. No. 110, Higher Education (UE) Department dt.06-07-2022 of the 1st respondent is illegal, arbitrary, unjust, discriminatory and violative of Articles 14, 16 and 21 of the Constitution of India and consequently direct the respondents to release the arrears of enhanced remuneration and also annual increments in favour of petitioner's as per their eligibility and further direct the 3rd respondent to continue to pay the said enhanced remuneration as well as annual increments in terms of G.O.Rt.No.110, Higher Education (UE) Department dt.06-07-2022 of the 1st respondent.

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 to direct the 3rd respondent to consider and dispose of the representation dated 29-01-2024 made by the petitioners for payment of enhanced remuneration as well as annual increment per their eligibility in terms of G.O.Rt.No.110, Higher Education (UE) Department dt.06-07-2022 of the 1st respondent, pending disposal of the main Writ Petition.

Counsel for the Petitioners: SMT. KAVITHA GOTTIPATI

Counsel for the Respondent No.1: GP FOR HIGHER EDUCATION

Counsel for the Respondent No.2: GP FOR FINANCE & PLANNING

Counsel for the Respondent Nos. 3 & 4: SRI P.VENKATA SUNEEL REDDY BEHALF OF SMT Y.RATNA PRABHA SC FOR RAYALASEEMA UNIVERSITY

The Court made the following: ORDER

APHC010171102024

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3328]**
(Special Original Jurisdiction)

WEDNESDAY ,THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 8728/2024

Between:

1. DR.M.OBUIESU, S/O.M.KRISHNA MURTHY, AGED ABOUT 37 YEARS, OCC- ASSISTANT PROFESSOR (ON CONTRACT), DEPARTMENT OF TELUGU, COLLEGE OF ARTS, COMMERCE AND MANAGEMENT, RAYALASEEMA UNIVERSITY, KURNOOL, KURNOOL DISTRICT, ANDHRA PRADESH.

2. DR.U.NAGI REDDY, S/O.U.NARAYANA SWAMY, AGED ABOUT 36 YEARS, OCC- ASSISTANT PROFESSOR (ON CONTRACT), DEPARTMENT OF MATHEMATICS, COLLEGE OF SCIENCE, RAYALASEEMA UNIVERSITY, KURNOOL KURNOOL DISTRICT, ANDHRA PRADESH

3. DR.B.SAINATH, S/O.B.PEDDA NAGAMUNI, AGED ABOUT 36 YEARS, OCC- ASSISTANT PROFESSOR (ON CONTRACT), DEPARTMENT OF OR AND SQC, COLLEGE OF SCIENCE, RAYALASEEMA UNIVERSITY, KURNOOL, KURNOOL DISTRICT, ANDHRA PRADESH

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, . REP.BY ITS PRINCIPAL SECRETARY, HIGHER EDUCATION (UE) DEPARTMENT, A.P. SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.

2. THE STATE OF ANDHRA PRADESH, REP.BY ITS PRINCIPAL SECRETARY, FINANCE DEPARTMENT, A.P. SECRETARIAT,

VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT. PETITIONERS

3. RAYALASEEMA UNIVERSITY, KURNOOL, KURNOOL DISTRICT, ANDHRA PRADESH, REP.BY ITS REGISTRAR.

4. THE VICE CHANCELLOR, RAYALASEEMA UNIVERSITY, KURNOOL, KURNOOL DISTRICT, ANDHRA PRADESH

...RESPONDENT(S):

Counsel for the Petitioner(S):

1. KAVITHA GOTTIPATI

Counsel for the Respondent(S):

1. GP FOR HIGHER EDUCATION

2. GP FOR FINANCE PLANNING

3. Y RATNA PRABHA (SC FOR RAYALASEEMA UNIVERSITY)

4. GP FOR SERVICES I (AP)

The Court made the following:

ORAL ORDER:

Heard Smt. Kavitha Gottipati, Learned Counsel for the Writ Petitioners (appearing through video conference) and Sri P. Venkata Suneel Reddy, Learned Counsel appearing on behalf of Smt. Y. Ratna Prabha, Learned Standing Counsel for Respondent Nos.3 and 4.

2. Sri P. Venkata Sunil Reddy, Learned Counsel appearing for Respondent Nos.3 and 4 has submitted Written Instructions dated 16.04.2024, issued by the Respondent No.3. This Written Instruction is taken on record.

3. Sri P. Venkata Sunil, Learned Counsel appearing for Respondent Nos.3 and 4 has drawn the attention of this Court to Para No.3 of the Written Instruction. The same is usefully extracted hereunder:

"3. Rayalaseema University would like to implement the GO 110 to the petitioners as per the outcome of the Writ Petition WP 44665 of 2017."

4. Basing on this Written Instruction, the Respondents would implement G.O.No.110 in favour of the Writ Petitioners, subject to the outcome in W.P.No.44665 of 2017. Learned Counsel for the Writ Petitioners has no objection for the same.

5. This Court would deem it appropriate to dispose of this Writ Petition by recording the undertaking of the Respondent Nos.3 and 4 that the demand of the Writ Petitioners in terms of additional payment of Rs.5,000/- per month and an annual increment of Rs.1,000/- as per the minimum qualification laid down in G.O.No.110, would continue in favour of the Writ Petitioners, subject to the final outcome in W.P.No.44665 of 2017.

6. With these observations and directions, this Writ Petition stands disposed of. No order as to costs.

7. Interlocutory Applications, if any, stand closed in terms of this order.

Sd/- N.NAGAMMA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Higher Education (UE) Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Principal Secretary, Finance Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
3. The Registrar, Rayalaseema University, Kurnool, Kurnool District, Andhra Pradesh.
4. The Vice Chancellor, Rayalaseema University, Kurnool, Kurnool District, Andhra Pradesh.

5. One CC to Smt. Kavitha Gottipati, Advocate [OPUC]
6. Two CCs to GP for Higher Education, High Court of Andhra Pradesh. [OUT]
7. Two CCs to GP for Finance & Planning, High Court of Andhra Pradesh. [OUT]
8. Two CCs to GP for Services-I, High Court of Andhra Pradesh. [OUT]
9. One CC to Smt Y. Ratna Prabha, SC for Rayalaseema University. [OPUC]
10. **Three CD Copies.**

gl

HIGH COURT

DATED:24/04/2024

ORDER

WP.No.8728 of 2024



DISPOSING OF THE WRIT PETITION WITHOUT COSTS