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APHC010014612024

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

WEDNESDAY, THE 4th DAY OF NOVEMBER 2026

**PRESENT**

**THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI**

**WRIT PETITION NO: 1083 OF 2024**

**Between:**

1. S V THYAGARAJA REDDY, S/o. S V Gangi Reddy, Aged about 25 Years, R/o. D.NO. 5-16, Gangudu Palli Village, Chandragiri Mandal, Tirupati District, (Earst while Chittoor District), Andhra Pradesh.

2. T. Lokanatham,, S/o. T. Sankaraiah, Aged about 49 Years, R/o. D.No. 4-51, Mallaiah Palli Village, Chandragiri Mandal, Tirupati District, (Earst while Chittoor District), Andhra Pradesh.

3. K. Padma Sekhar,, S/o. K. Anjappa, Aged about 47 Years, R/o. 4-255A, JNR Street, Madanapalli Mandal, ALnnamaiah District, (Earst while Chittoor District), Andhra Pradesh.

4. Guddenagari Venkataramana,, S/o. G. Akulappa, Aged about 37 Years, R/o. D.No. 15-5-7-20A, RRN Colony, Madanapalli Mandal, Annamaiah. District, (Earst while Chittoor District), Andhra Pradesh.

**...Petitioners**

**AND**

1. THE STATE OF AP, Department of Energy, Secretariat Buildings, Velagapudi, Amaravati, rep by its Principal Secretary,

2. A P Southern Power Distribution Company Ltd, Srinivasapuram Tinichanoor Road Tirapati 517 503 Tirupati District, rep by its Chairman and Managing Director.

3. The Chief General Manager HRD, APSPDCL Tirupathi, Tirupati District. (Earst while Chittoor District)

4. The Superintending Engineer, Operation Circle APSPDCL, Tirupati. Tirupati District. (Earst while Chittoor Distiict) ...

**...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, Direction, Order or Orders more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not appointing the petitioners as per their merit or eligibility selected in the recruitment Notification of 2011 for Junior Linemens dated 14.12.2011 in the vacancies arisen, in not issuing the notifications for recruitment dated 14.12.2015 thereafter in pursuance of the directions of the Honble High Court passed in W.P.No. 3753/2012 and Batch dated 09.12.2013 as illegal, arbitrary, Violative of Article 14, 21 of the constitution of India, Human rights and consequently direct the respondents to declare the petitioners as Junior Linemen according to their merit from the date of their eligibility, selection in the 2011 notification and the vacancies arisen in the respondents organization with all monetary and promotional benefits and 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 to direct the respondents to consider the cases of the petitioners as Junior Linemen by paying the salary attached to the Post of Junior Linemen pending disposal of the above Writ petition 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 grant leave to the petitioners/respondents 2 to 4 herein to file the counter affidavit in W.P.No. 1083 of 2024 and to pass

**IA NO: 1 OF 2026**

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 this Reply affidavit in W.P.No.1083/2024 in the interest of justice and may be pleased to pass

**Counsel for the Petitioners: P SREE RAMULU NAIDU**

**Counsel for the Respondents: Venkata Rama Rao Kota SC FOR APSPDCL**

**Counsel for the Respondents: GP FOR SERVICES I**

**The Court made the following order:**

**THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI**

**WRIT PETITION NO: 1083/2024**

**ORDER:**

Writ Petition is filed seeking the following relief:

> *"pleased to issue a Writ Direction Order or Orders more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not appointing the petitioners as per their merit or eligibility selected in the recruitment Notification of 2011 for Junior Linemen dated 14.12.2011 in the vacancies arisen in not issuing the notifications for recruitment dated 14.12.2015 thereafter in pursuance of the directions of the Hon'ble High Court passed in W.P.No.3753/2012 and Batch dated 09.12.2013 as illegal, arbitrary, Violative of Article 14, 21 of the constitution of India Human rights and consequently direct the respondents to declare the petitioners as Junior Linemen according to their merit from the date of their eligibility selection in the 2011 notification and the vacancies arisen in the respondents organization with all monetary and promotional benefits and pass"*

2. Brief facts of the case are that petitioners, who possess requisite SSC and ITI qualifications, have been working as skilled workers on contract basis in various sub-stations of APSPDCL, Tirupati Circle, since 2007, without any break in service. Pursuant to recruitment notification dated 14.12.2011 for posts of Junior Linemen, petitioners applied and were selected, but have not been appointed till date owing to limited number of vacancies and their positions in merit list. In W.P.No.3753 of 2012 and batch, this Court, *vide* common order dated 09.12.2013, issued directions that weightage marks for experience shall not exceed 20%; two marks for every completed year of service; that only those who were in service as on the cut-off date would be entitled to such weightage marks; that weightage marks could also be added in recruitment to the posts of Junior Linemen; and that respondents shall

review the cadre strength once in every three years and consider direct recruitment once in every four years. Despite said directions, respondents have neither undertaken periodic review nor issued further recruitment notifications, while continuing to engage petitioners on contract basis for several years. Petitioners are being paid a consolidated monthly remuneration of

Rs.26,103/-, whereas similarly situated persons appointed pursuant to same notification and performing similar duties are drawing Rs.55,398/-. Contending that the inaction of respondents is contrary to the earlier directions of this Court and violative of Articles 14 and 21 of the Constitution of India, petitioners have filed present Writ Petition seeking a direction to respondents to appoint them as Junior Linemen in accordance with their merit, pursuant to 2011 recruitment notification, against the vacancies that have arisen in the respondents' organization, with effect from the date of their eligibility, along with all consequential monetary and promotional benefits.

3. Respondents, in their counter-affidavit, submit that, pursuant to the recruitment notification dated 14.12.2011, 1,316 posts of Junior Linemen were notified and petitioners were extended weightage marks for their contractual service in accordance with the directions of this Court in W.P.No.3753 of 2012 and batch, dated 09.12.2013. However, petitioners failed to secure prescribed cut-off marks for selection in their respective categories. It is further contended that future recruitment notifications would be issued, subject to the requirement of manpower and with the concurrence

of Government and Finance Department, and the financial position of the organization. At that time, applicants are at liberty to apply for posts notified in notification based on their qualification. At present, no recruitment notification was issued by respondent organization and entire selections were completed and appointment orders were issued to eligible candidates as per the notification dated 14.12.2014 issued by respondent-organization. Petitioners cannot compare themselves with regular employees, who were selected on merit through the prescribed selection process, and that no violation of Article 14 of the Constitution of India has occurred. Accordingly, respondents contend that petitioners have not made out any valid grounds for the relief sought and pray for dismissal of the writ petition.

4. Petitioners filed reply affidavit stating that, pursuant to notification dated 14.12.2011 for the posts of 144 members of Junior Assistants, 1316 members of Junior Linemen, and 43 members of Sub-Engineers were notified. The said notification provided for weightage marks for in-service contract workers and petitioners did not come under the consideration though weightage marks were added to them for their contractual service, as admitted by the petitioners. Petitioners' further states that, as per the information obtained under Right to Information Act, a list of 1526 selected and unselected candidates was prepared for APSPDCL Circle, Tirupati. Petitioners are listed at Serial Nos.353, 171, 288 and 548 respectively. Among 1,526 candidates, the service weightage marks were allegedly calculated incorrectly by taking into account the entire period of service, including the period prior to obtaining

ITI pass certificate and up to the date of notification and marks were erroneously added in Column No.13 in respect of 33 candidates. Petitioners further contend that though respondents contend that the petitioners were not included in the merit list for the 1,316 notified posts, no proper merit list was prepared. Respondents have chosen their own candidates for the posts and only furnished selection list instead of merit list, thereby denied right to the petitioners for consideration. It is further stated that said list was prepared in the year 2012, pursuant to notification dated 14.12.2011 though petitioners were selected and kept in wait list, the respondents have not chosen to recruit petitioners to the post of Junior Linemen, even though vacancies are available. Hence, sought for allowing the Writ Petition and to direct respondents to appoint petitioners as Junior Linemen on par with other candidates pursuant to notification dated 14.12.2011.

5. Heard Mr.P.Sree Ramulu Naidu, learned counsel for petitioners and Mr.Venkata Rama Rao Kota, learned Standing Counsel for APSPDCL, appearing for respondents.

6. Learned counsel for petitioners submitted his arguments in two-fold that pursuant to notification dated 14.12.2011, selection process was undertaken and still there are vacancies under the said notification. Respondents have not maintained any merit list so as to consider and appoint all candidates eligible for said appointment and further pleaded that as per directions of this Court, respondents have to undertake review of the cadre strength once in every 3 years and then consider undertaking direct

recruitment once in every 4 years, so that the necessity for engaging or continuing a person on contact period can be avoided. In spite of said directions granted by this Court, respondents have not reviewed cadre strength or not undertaken any recruitment on completion of 4th year, as such, respondents had failed to adhere to the directions given by this Court.

7. Further contention of learned counsel for petitioners is that weightage marks were not properly added basing on their services, but weightage marks were allegedly awarded to certain candidates for the service rendered even prior to their acquisition of the necessary qualifications, as such, petitioners are denied benefit of selection under the said notification. As the arguments advanced by learned counsel for petitioner is, on one hand, that petitioners are in the merit list, but authorities have not published the said merit list and only published the selection list, whereas the other contention is that the weightage marks were not properly added, as certain candidates were awarded weightage for the period of service rendered even prior to acquiring necessary qualifications. But the prayer in the Writ Petition is only with regard to non-appointing petitioners as per their merit list and eligibility in the selection process conducted pursuant to notification dated 14.12.2011 and in not issuing recruitment notifications for subsequent period as per the directions of this Court. Petitioners have not sought for any relief regarding the alleged improper award of marks and as such, respondents have no occasion to answer the same.

8. With regard to the preparation of merit list is concerned, there is a specific averment in the counter affidavit that all the eligible candidates were appointed and as the petitioners' were not in the zone of consideration, their cases could not be considered for appointment, and in the event of any future notifications, petitioner's cases would be considered duly giving weightage marks for their contractual services in the department.

9. With regard to non-issuance of recruitment notification is concerned, respondents have stated that basing on the need and necessity, notifications will be issued after obtain necessary permission from the Government as well as concurrence of the Finance Department. As no such notification issued so far for selection, in the event of any such notification issued, petitioners are at liberty to participate in the selection process duly taking advantage of the weightage marks for the period that they worked.

10. Learned counsel appearing for the respondents-APSPDCL, submits that, selection process pursuant to notification dated 14.12.2011 was already completed and that no subsequent selection was taken up, and in the event of any fresh notification, petitioners cases will be considered subject to their eligibility and outcome of the selection process therein and they will be provided necessary weightage marks for the services rendered in the department.

11. As the selection process pursuant to notification dated 14.12.2011 was already completed and as contended by the learned counsel for the respondents, no merit list is being maintained, the said selection

process has come to an end, and in the event of any further selection, fresh notifications will be issued after obtaining necessary permissions from the Government as well as concurrence of Finance Department.

12. Though petitioners have sought for appointment pursuant to notification dated 14.12.2011, no material is placed to establish that there was a merit list maintained under the said notification, even for the future vacancies, to consider the case of petitioners and also regarding the available vacancies, whereas directions issued by this Court is only with regard to weightage marks to be granted to the previous services therein in the case of recruitment to the post of Junior Linemen and also review to be undertaken to avoid necessity for engaging or continuing persons on contract basis for long periods. It is for the respondent-department to review its cadre strength and assess the need of fresh recruitment.

13. Assuming for a moment that the said order is violated, petitioners ought to have initiated appropriate proceedings against violation of the said order. Basing on which, petitioners cannot now seek a direction to respondents to issue notification for selection without there being any need or necessity for such selection process and the same is completely within the domain of the respondents. As such, no mandamus can be issued for such relief sought for in the Writ Petition

14. In view of the above, this Court is of considered opinion that petitioners have not made out any case for interference by this Court or to grant relief as prayed for. As such, Writ Petitioners are not entitled for any

relief. However it is made clear that, in the event of any selection process for future vacancies, cases of the petitioners shall be considered granting weightage for the past services rendered by them in the department in accordance with rules, subject to their eligibility and entitlement in all other aspects.

15. Accordingly, the Writ Petition is ***dismissed***. There shall be no order as to costs.

As a sequel, Interlocutory Applications pending, if any, shall stand closed.

**JUSTICE BALAJI MEDAMALLI**

Date : 04.11.2026
BMS / SAK

Whether the order is:

| | | | |
|---|---|---|---|
| Speaking | ☑ | Reasoned | ☑ |
| Reportable | | Non-reportable | ☑ |

**THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI**

**WRIT PETITION NO: 1083 OF 2024**

**Date: 04.11.2026**

**SAK**