APHC010174322023

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

WEDNESDAY, THE 18th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT PETITION NO: 9407 OF 2023

Between:

1. KATHA RAJESWARA REDDY, Son of K. Chenna Reddy, Aged about 42 years, Resident of 7/238-B, Kalamalla, Yerraguntla, Kadapa District.

2. SettipalleRamanjaneya Reddy, Son of Janardhan Reddy, Aged about 28 years, Resident Of 7/74, Krishna Nagar, Yerraguntla, Kadapa District.

3. IlluruPrasanth Kumar Reddy, Son of I. Padmanabha Reddy, Aged about 33 years, Resident of 4/20, Kalamalla, Yerraguntla, Kadapa District.

4. GaruguSreenivasulu, Son of G.Kondaiah, Aged about 36 years, Resident of 1/23, Kalamalla, Yerraguntla, Kadapa District.

5. NarapureddySurenkumar Reddy, Son of Lakshminarayana Reddy, Aged about 30 years, Resident of 7/328, Krishna Nagar, Kalamalla, Yerraguntla, Kadapa District.

...PETITIONERS

AND

1. THE ANDHRA PRADESH POWER GENERATION CORPORATION LTD, represented by its Chairman, VidyuthSoudha, Gunadala, Vijayawada, Krishna District.

2. The Managing Director, Andhra Pradesh Power Generation Corporation Ltd., VidyuthSoudha, Gunadala, Vijayawada, Krishna District.

3. The Director HR, Andhra Pradesh Power Generation Corporation Ltd., Vidyuth Soudha, Gunadala, Vijayawada, Krishna District.

4. The Chief Engineer, Rayalaseema Thermal Power Project, Kadapa.

5. The District Collector / Chairman District Selection Committee, Kadapa, Kadapa District.

...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 Writ of Mandamus, directing the respondents to consider the case of the petitioners for appointment to the post of Junior Plant Attendants taking into account the qualification and eligibility as per G.O.Ms.No.98 Irrigation (Projects Wing) Department dated 15.04.1986 and also as per the recommendations of the District Selection Committee vide their Ref.No.A3/1109/2011 dated 10.02.2014 of the 5th respondent herein under Land Losers Quota, as the petitioners names stood at Sl.No.249, 242, 108, 303 and 292 in the selection list and further following the orders of this Hon'ble Court passed in W.P.No.23405 of 2015 dated 18.11.2022 and similar other cases, and pass

IA NO: 1 OF 2023

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 case of the petitioners for appointment to the post of Junior Plant Attendants under displaced persons quota as per G.O.Ms.No.98 Irrigation (Projects Wing) Department dated 15.04.1986 and also as per the recommendations of the District Selection Committee vide their Ref.No.A3/ 1109/2011 dated 10.02.2014 of the 5th respondent herein W.P.No.23405 of 2015 dated 18.11.2022, pending disposal of the Writ Petition, and pass

Counsel for the Petitioners: P RAVI SHANKER

Counsel for the Respondents: GP FOR SERVICES I

Counsel for the Respondents: K.KRISHNABUSHAN CHOWDARY

SC For APGENCO

The Court made the following order:

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

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ORDER:

1. The Writ Petition is filed for the following relief:

> *"……...to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus, directing the respondents to consider the case of the petitioners for appointment to the post of Junior Plant Attendants taking into account the qualification and eligibility as per G.O.Ms.No.98 Irrigation (Projects Wing) Department dated 15.04.1986 and also as per the recommendations of the District Selection Committee vide their Ref.No.A3/1109/2011 dated 10.02.2014 of the 5th respondent herein under Land Losers Quota, as the petitioners names stood at Sl.No.249, 242, 108, 303 and 292 in the selection list and further following the orders of this Hon'ble Court passed in W.P.No.23405 of 2015 dated 18.11.2022 and similar other cases……."*

2. Heard Sri P. Ravi Shankar, learned counsel for petitioners and Sri B.H. Sri Ram, learned counsel, representing Sri Krishna Bushan Chowdary, learned standing counsel for AP GENCO, appearing for respondents.

3. Grievance of the petitioners is that they are displaced persons (land losers) and their lands were acquired by respondent No.1, A.P. GENCO, for the construction of various stages of the Rayalaseema Thermal Power Project. As per the rehabilitation and resettlement policy of the Government, 50% of the vacancies are required to be reserved for eligible land losers. In this regard, Government issued G.O.Ms.No.98, Irrigation (Projects Wing) Department, dated 15.04.1986. Pursuant thereto, petitioners submitted their applications seeking appointment to the posts of Junior Plant Attendants in respondent No.1's projects. The District Selection Committee, headed by the District Collector, conducted interviews of the eligible candidates and prepared

an approved list of 334 candidates vide Ref.No.A3/1109/2011, dated 10.02.2014, which was forwarded to the respondent authorities for taking necessary action. The names of the petitioners placed in the said list at Sl.Nos.249, 242, 108, 303 and 292, respectively. However, respondents failed to issue appointment orders to petitioners and, in disregard of the approved selection list, appointed candidates whose names were placed below those of petitioners. Thus, despite their inclusion in the approved list, petitioners were denied consideration for appointment, while similarly placed candidates with lower positions in the list were extended the benefit of appointment. Aggrieved by the discriminatory and arbitrary action of respondents, petitioners have approached this Hon'ble Court by way of the present writ petition.

4. Learned counsel for petitioners submitted that respondents had appointed candidates whose names appeared much below those of petitioners in the approved selection list, including Chitrala Ashok Kumar (Sl.No.320), S. Kiran (Sl.No.327) and C. Raja Kumar (Sl.No.323), to the posts of Junior Plant Attendants, while petitioners were denied appointment. Learned counsel further submitted that petitioner No.3, I. Prasanth Kumar Reddy, whose name was placed at Sl.No.108 in the approved selection list, possessed the requisite qualifications and was otherwise eligible for appointment. However, his candidature was not considered by respondents on the ground that he had not submitted his application within the time stipulated under G.O.Ms.No.98.

5. Respondents filed their counter affidavit contending that no vacancies were available and that the claims of petitioners had been considered in accordance with their seniority, subject to the availability of vacancies. Insofar as petitioner No.3 is concerned, his candidature was not considered on the ground that he had not submitted his application within the stipulated time.

6. Learned counsel for petitioners submitted that petitioner No.3 could not submit his application within the stipulated period due to the serious illness of his father. Nevertheless, he submitted his application before the District Selection Committee, which was accepted and considered the same and included his name at Sl.No.108 in the approved list of eligible candidates, based on the seniority determined with reference to the dates of the respective land acquisition awards.

7. Leaned counsel for petitioner also placed reliance on the judgment of the Division Bench of this Hon'ble court in W.A.No.1206 of 2023, wherein the Division Bench, upon considering the submissions advanced on behalf of the respondents, dismissed the writ appeal filed challenging the order of learned Single Judge directing the respondents to appoint the petitioners therein in accordance with their respective seniority positions in the approved selection list.

8. The Division Bench of this Court in W.A.No.1206 of 2023 further held that *legitimate expectation of the land loser shall be counted from the angle of such person, who was put under no option than to surrender the land. In such*

a situation, the State shall be considered as a dominating position and the land losers in a weak position. Therefore, the extent of trust expected from the State is that of a parent towards a child, and if a parent disowns the promise and pushes the child to all sorts of arm twisting tests, such action of the State cannot be appreciated.

9. The Division Bench further took note of the minutes of District Selection Committee dated 01.07.2019 and, upon consideration of the matter, upheld the order of the learned Single Judge, directing the respondents to consider the cases of petitioners therein for appointment to the posts of Junior Plant Attendants under G.O.Ms.No.98, dated 15.04.1986, within a period of three months from the date of the order.

10. The very same issue, arising out of the same approved seniority list, fell for consideration before another Division Bench of this Court in W.A.No.613 of 2023. In the said case, the Division Bench directed the respondents to take all necessary steps by securing necessary approvals etc., and if necessary, creating supernumerary post, to appoint petitioner / 1st respondent in the post he has applied for, within a period of four weeks from the date of copy of the order.

11. As stated hereinabove, the respondents, being State, having assured employment to the land losers under the 50% quota pursuant to G.O.Ms.No.98 and having accordingly prepared a selection list, cannot give a go-by to the said list and make appointments at its whims and fancies, without

adhering to the order of seniority reflected therein. Though respondents contend that vacancies are not available, learned counsel for petitioners, referring to the information furnished under the Right to Information Act, submits that, as on 12.01.2023, approximately 270 vacancies in the category of Junior Plant Attendants were available, arising out of promotions, retirements, deaths and transfers of employees to other stations of APGENCO. In view of the information furnished by the authorities themselves, the contention of respondents regarding non-availability of vacancies cannot be accepted.

12. For the foregoing reasons, respondents are directed to consider the cases of petitioners for appointment strictly in accordance with their respective positions in the list dated 10.02.2014 and in accordance with law, within a period of three (3) months from the date of receipt of a copy of this order.

13. Accordingly, the Writ Petition is ***disposed of*** with the above directions. There shall be no order as to costs.

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

JUSTICE BALAJI MEDAMALLI

Date: 18.11.2026
SAK

Whether the order is:

Speaking	☑	Reasoned	☑
Reportable		Non-reportable	☑

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Date: 18.11.2026

SAK