APHC010290052023

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3573]**
(Special Original Jurisdiction)

FRIDAY, THE 30th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT PETITION NO: 14870/2023

Between:

1. RAVADA POLAYYA, S/O. LATE RAJAYYA, AGED 54 YEARS, OCC. EMPLOYEE, R/O.D.NO.423/2, PONDARA VEDDHI, BALAGA, SRIKAKULAM

...PETITIONER

AND

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, SCHOOL EDUCATION DEPARTMENT, AMARAVATHI.
2. THE DISTRICT EDUCATIONAL OFFICER, SRIKAKULAM, SRIKAKULAM DISTRICT.
3. THE CHIEF EXECUTIVE OFFICER, ZILLA PARISHAD, SRIKAKULAM, SRIKAKULAM DISTRICT.
4. DISTRICT COLLECTOR, SRIKAKULAM DISTRICT. RESPONDENT NOS.3 AND 4 IMPLEADED AS PER COURT ORDER DATED 18.03.2026 VIDE IA.NO.1 OF 2025 IN WP.NO.14870 OF 2023.

...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 in appointing the petitioner as Office Subordinate on 07-08-2021, ignoring his higher educational qualifications and eligibility for the post of Junior Assistant, and in not considering his representation dated 14.05.2015, as illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India, and consequently direct the respondents to treat the petitioner as duly selected and appointed to the post of Junior Assistant (or any other suitable post commensurate with his qualifications) on compassionate grounds in terms of G.O.Rt.No.45 dated 28-02-2020, with effect from 07-08-2021, and extend all

consequential service benefits including arrears of salary, seniority, continuity of service, increments and pensionary benefits and pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case. Main Prayer amended/substituted as per Court Order dated 21.04.2026 vide IA No.2 of 2025 in WP No.14870 of 2023.

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 pleased to direct the respondents to consider the representation of the petiitoner for suitable post pending disposal of the above writ petition and to 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 May be pleased to implead Proposed respondent as Respondent No. 3 and Respondent No 4 in W.P. No. 14870 of 2023 as well as in I.As in the interest of justice and to pass

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 permit the petitioner to amend the prayer as This Hon'ble 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 in appointing the petitioner as Office Subordinate on 07-08-2021, ignoring his higher educational qualifications and eligibility for the post of Junior Assistant, and in not considering his representation dated 28-03-2025, as illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitutjon of India, and consequently direct the respondents to treat the petitioner as duly selected and appointed to the post of Junior Assistant (or any other suitable post commensurate with his qualifications) on compassionate grounds in terms of G.O.Rt.No.45 dated 28- 02-2020, with effect from 07-08-2O21, and extend all consequential service benefits including arrears of salary, seniority, continuity of service, increments and pensionary benefits, and pass Instead of This Hon'ble Court may be pleased to issue writ, order or direction more particularly one in the nature of Wrii Of Mandamus to declare the inaction of the respondents in not considering the petitioners representation for suitable post is illegal arbitrary and against to the principles of natural justice and pass

IA NO: 3 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; permit the petitioner to file additional affidavit in W.P.No. 14870 of 2023 and 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 permit the petitioner to amend his representation dated "14.05.2015" instead of 28.03.2025 Writ Petition Prayer and other interlocutory applications annexed to it and be pleased to pass

IA NO: 2 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 the petitioner herein/Respondent.3 in W.P. No 14870 of 2023 to file counter affidavit in the above writ petition and pass

Counsel for the Petitioner:

1. V.N.P SAI

Counsel for the Respondent(S):

1. GP FOR SERVICES III
2. Yarraguntla.Koteswara Rao,Standing Counsel For Zilla Praja Parishads,Mandal Praja Parishads and Gra
3. Y KOTESWARA RAO

The Court made the following:

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

ORDER:

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, declaring the action of the respondents in appointing the petitioner as Office Subordinate on 07-08-2021, ignoring his higher educational qualifications and eligibility for the post of Junior Assistant, and in not considering his representation dated 14.05.2015, as illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India, and consequently direct the respondents to treat the petitioner as duly selected and appointed to the post of Junior Assistant (or any other suitable post commensurate with his qualifications) on compassionate grounds in terms of G.O.Rt.No.45 dated 28-02-2020, with effect from 07-08-2021, and extend all consequential service benefits including arrears of salary, seniority, continuity of service, increments and pensionary benefits and pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case. Main Prayer amended/substituted as per Court Order dated 21.04.2026 vide IA No.2 of 2025 in WP No.14870 of 2023…"*

2. Heard Sri V.N.P.Sai, learned counsel for the petitioner and Sri Y.Koteswara Rao, learned Standing Counsel for ZPP, MPP and Panchayat Secretary appearing on behalf of respondents.

3. The case of the petitioner, in brief, is that he was appointed as an Office Subordinate in the Office of the Mandal Parishad Development Officer (M.P.D.O.), G. Sigadam, Srikakulam District, on compassionate grounds, consequent upon the demise of his wife, who was working as a Secondary Grade Teacher in MPP School, Patharlapalli, Ranastalam Mandal, Srikakulam District. Petitioner is a Postgraduate in Commerce and also possesses qualifications in B.Lisc. and LL.B. He was unemployed and was facing severe financial constraints. Therefore, he submitted a representation dated 14.05.2015, requesting the authorities to provide him with compassionate appointment. Pursuant to the said request, petitioner was appointed as an Office Subordinate, though, according to him, he was eligible for appointment to the post of Junior Assistant in view of his educational qualifications. At the

time of his appointment, the respondents informed him that, as there were no vacancies in the cadre of Junior Assistant, he was being appointed as an Office Subordinate and assured him that he would be considered for appointment to a suitable post as and when vacancies arose. In view of his financial circumstances, the petitioner accepted the said appointment and joined duty as an Office Subordinate. However, despite the lapse of more than six years from the date of his appointment, his request for appointment to the post of Junior Assistant was not considered by the respondents. Aggrieved thereby, the petitioner filed the present Writ Petition.

4. Learned counsel for the petitioner submits that the petitioner was appointed as an Office Subordinate on 07.08.2021, after making him wait for more than six years. However, the said appointment was not commensurate with the educational qualifications of the petitioner as well as the position of deceased Government employee he was eligible for appointment to the post of Junior Assistant in view of his qualifications.

5. Learned Standing Counsel appearing for respondents submits that as the petitioner had accepted and joined in the duty as office subordinate, petitioner now cannot agitate for reappointment as Junior Assistant and the appointment under compassionate grounds is not a matter of right. However, if the petitioner is having any grievance, he can approach the respondents by filing appropriate representation seeking to consider his case for the post of Junior Assistant in terms of application Rules without approaching the

authorities for such relief, petitioner cannot approach this Court seeking direction to respondents.

6. Having regard to the facts and circumstances of the case, this Court deems it appropriate to dispose of the Writ Petition with the following directions:

"Petitioner is permitted to submit a representation to respondent Nos. 3 and 4, enclosing all relevant educational certificates and documents within a period of two (02) weeks from the date of receipt of a copy of the order. Upon receipt of such representation, the respondents are directed to consider the same, taking into account the educational qualifications of the petitioner and the employment particulars of his deceased wife, pass appropriate orders, in accordance with law, within a period of four (04) months therefrom.

There shall be no order as to costs.

Consequently, miscellaneous petitions if any, shall stand closed.

JUSTICE BALAJI MEDAMALLI

Dated: 30.10.2026
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THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

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Date: 30.10.2026

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