APHC010351202026

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

THURSDAY, THE 29th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT PETITION NO: 23474 OF 2026

Between:

1. P.NAGA SUBBA RAJU, S/o. Manikyala Rao, aged about 66 years, Occ Librarian, 15th Ward Municipal Grandalayam, Tadepalligudem, W.G. District, Rio. D.No. 9-9-3/3, Savitripeta, Tadepalligudem, West Godavari District. 534101

2. P. Dhanraj,, S/o. Veerraju, aged about 65 years, Occ Librarian, 16th Ward, Juwalapalem, Municipal Grandalayam, 1tadepalligudem, W.G. District, Rio. D.No. 8-4-77/1, Juwalapalem, Tadepalligudem, West Godavari District. 534101

3. B. Koteswara Rao, S/o. Venkateswara Rao, aged about 60 candalayam, ars, Occ Librarian, 10th Ward, Pathuru, Municipal Tadepailigudem, W.G. District, Rio. D.No. 6- 1i-9-2 Paturu, Tadepalligudem, West Godavari District. 534101

4. I. Gayatri,, W/o. K. Venkateswarlu, aged about 67 years, Occ Librarian, 18th Ward, Tallamudunurupadu, Municipal Grandalayam, Tadepalligudem, W.G. District, Rio. D.No. LO-19-4/1, Tallamudunurupadu, Tadepalligudem, West 9odavari District534101

...Petitioners

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Municipal Administration and Urban Development, Secretariat, Velagapudi, Amaravathi at Guntur. 522238

2. The Commissioner and Director of Municipal Administration, Andhra Pradesh. Guntur. 522001

3. The Tadepalligudem Municipality, Represented by Municipal Commissioner, Tadepalligudem, West Godavari District. 534101

4. The District Collector, (Municipal Administration) Tadepalligudem, West Godavari District. 534101

...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 toissue a writ, order or direction particularly one in the nature of Wirt of Mandamus declaring the action of the Respondents in not implementing the orders of the erstwhile Honble Andhra Pradesh Administrative Tribunal in O.A. 4646 of 2013, dated 21-06-2013in spite of having knowledge of attaining finality of the subject matter involved in the case after dismissal of the writ petition No. 37837 of 2013 dated 10-07-2023 is as illegal, arbitrary and violation of 14, 16 21 of Constitution of India and consequently direct the respondents to implement the above said Honble APAT orders in O.A. No. 4646 of 2013, dated 21-06-2013 within a stipulated period

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 direct the respondents to implement the above said Hon'ble APAT orders in O.A. No. 4646 of 2013, dated: 21-06-2013 within a stipulated period, pending further orders,

Counsel for the Petitioners: A V V S BHUJANGA RAO

Counsel for the Respondents: SIREESHA RANI VALLABHANENI SC For MUNICIPALITIES Counsel for the Respondents:GP FOR SERVICES I

IA.Nos. 2 & 3 OF 2026
IN
WRIT PETITION NO: 37837/2013

Between:

1. THE MUNICIPAL COMMISSIONER,, TADEPALLIGUDEM MUNICIPALITY, TADEPALLIGUDEM, WEST GODAVARI DISTRICT.

...PETITIONER

AND

1. P NAGA SUBBA RAJU S/O MANIKYALA RAO, LIBRARIAN, 15TH WARD MUNICIPAL GRANDALAYAM, TADEPALLIGUDEM, WEST GODAVARI DISTRICT, R/O D.NO. 9-9-3/3, SAVITRIPETA, TADEPALLIGUDEM, WEST GODAVARI DISTRICT.
2. P DHANARAJ S/O VEERRAJU, LIBRARIAN, 16TH WARD, JUWALAPALEM, MUNICIPAL GRANDALAYAM, TADEPALLIGUDEM, R/O D.NO. 8-4-77/1, JUWALAPALEM, TADEPALLIGUDEM, WEST GODAVARI DISTRICT.
3. B KOTESWARA RAO S/O VENKATESWARA RAO, LIBRARIAN, 10TH WARD PATHURU, MUNICIPAL GRANDALAYAM, TADEPALLIGUDEM, R/O D.NO. 6-11-9-2, PATURU, TADEPALLIGUDEM, WEST GODAVARI DISTRICT.
4. K GAYATRI W/O K VENKATESWARLU, LIBRARIAN, 18TH WARD TALLAMUDUMURUPADU, MUNICIPAL GRANDALAYAM,TADEPALLIGUDEM, R/O D. NO. LO-19-4/1, TALLAMUDUNURUPADU, TADEPALLIGUDEM, WEST GODAVARI DISTRICT.
5. GOVERNMENT OF A P REP BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, SECRETARIAT, HYDERABAD.
6. THE COMMISSIONER AND DIRECTOR OF, MUNICIPAL ADMINISTRATION, A.P., HYDERABAD.
7. THE DISTRICT COLLECTOR WEST GODAVARI DISTRICT AT

ELURU, -

8. THE ANDHRA PRADESH ADMINISTRATIVE TRIBUNAL, REPRESENTED BY ITS REGISTRAR, PURANIHAVELI. HYDERABAD.

...RESPONDENT(S):

I.A.No.2 of 2026

may be pleased to condone the delay of 1134 days in filing the petition for restoration of W.P.No.37837 of 2013, in the interest of justice and pass

I.A.No.3 of 2026

may be pleased to set aside the dismissal order dated 10.07.2023 passed in W.P.No.37837 of 2013 and restore the W.P.No.37837 of 2013 to its file in the interest of justice and pass

Counsel for the Petitioner:

1. M MANOHAR REDDY (SC FOR MUNC AND MUNC CORP)

Counsel for the Respondent(S):

1. GP FOR SERVICES IV
2. M PITCHAIAH

The Court made the following order:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

W.P.No.23474 of 2026

&

I.A.Nos.2 & 3 of 2026 in W.P.No.37837 of 2013

COMMON ORDER :-*(per Hon'ble Sri Justice Ravi Nath Tilhari)*

Heard Sri A.V.V.S.Bhujanga Rao, learned counsel for the petitioners in W.P.No.23474 of 2026 who are respondent Nos.1 to 4 in W.P.No.37837 of 2013 appearing through virtual mode. Also heard learned Government Pleader for Services –IV for the State respondent and Commissioner of Municipality in both the petitions and Ms.Sireesha Rani Vallabhaneni, learned Standing Counsel for Municipalities appearing for the petitioner in W.P.No.37837 of 2013 and respondent No.3 in W.P.No.23474 of 2026.

2. The respondents in W.P.No.37837 of 2013 (writ petitioners in W.P.No.23474 of 2026) filed O.A.No.4646 of 2013 being aggrieved from the action of the Municipality in not paying the minimum wages fixed by the District Collector, West Godavari District for specified period and onwards, with prayers for direction to the State-respondents to make the payments of minimum wages, along with the arrears.

3. The OA No.4646 of 2013 was allowed in the following terms:

> "5. In view of the orders passed by this Tribunal which are confirmed by the High Court in O.A.No.11076/2002 and the issue involved in this application is

> squarely covered by the orders in O.A.no.11076 of 2002, this O.A., is also disposed of, in the light of the directions, contained in O.A.No.11076 of 2002 dated 11.12.2002 and W.P.No.1045 of 2007 dated 13.11.2009."

4. The Tribunal observed that the matter of those applicants (respondent Nos.1 to 4) was squarely covered by the previous orders passed by the Tribunal in different OAs in which the order of Tribunal was affirmed by this Court in W.P.No.1045 of 2007, which was filed by the State/Municipality and was dismissed.

5. Challenging the order passed in OA No.4646 of 2013, Writ Petition No.37837 of 2013 was filed by the State/Municipality.

6. On the other hand, the applicants in OA filed W.P.No.23474 of 2026, for implementation of the order of the Tribunal after dismissal of the W.P.No.37837 of 2013 for want of prosecution by an order dated 10.07.2023.

7. I.A.No.3 of 2026 in W.P.No.37837 of 2013 has been filed for setting aside the order of dismissal dated 10.07.2023. I.A.No.2 of 2026 has also been filed in WA.No.37837 of 2013 for condonation of delay of 1134 days in filing I.A.No.3 of 2026.

8. Any objection to the aforesaid applications has not been filed by the applicants in OA.

9. Delay in a matter which requires consideration by the Court even if any objection is not filed or even not raised.

10. On consideration of the affidavit filed in support of I.A.No.2 of 2026 as also the submission advanced by the learned counsel for the applicant (writ petitioner in W.P.No.37837 of 2013), we find that the cause shown in para No.4, 5 and 6 which read as under; is not sufficient to condone the delay of 1134 days.

> "4. It is submitted that the petitioner is a local body/Municipality which conducts its litigation through Standing Counsel engaged/nominated for that purpose from time to time. The Standing Counsel who was handling the matter at the relevant point of time did not communicate the fact of dismissal of W.P.No.37837 of 2013 to the petitioner-Municipality, and consequently, the petitioner remained wholly unaware that the writ petition filed by it stood dismissed for default.
>
> 5. It is submitted that the present Standing Counsel appearing for the Petitioner took charge of the matters pertaining to the Petitioner-Municipality only in the month of September, 2024. There was no proper handing over of case papers/status of pending matters by the earlier counsel, on account of which the dismissal of W.P.No.37837 of 2013 remained unnoticed and unattended to.
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> 6. It is submitted that the Petitioner came to know of the dismissal of W.P.No.37837 of 2013 only upon being served with/coming across W.P.No.23474 of 2026 filed before this Hon'ble Court by P. Naga Subba Raju and three others, being the very applicants in O.A.No.4646 of 2013, wherein it is specifically pleaded that the subject matter has attained finality on account of the dismissal of W.P.No.37837 of 2013 dated 10.07.2023, and a direction is sought against the Respondents therein (including the Petitioner-Municipality) to implement the order of the erstwhile Tribunal in O.A.No.4646 of 2013 dated 21.06.2013."

11. The cause in above quoted paras, shows the inaction on the part of the municipality in prosecuting the writ petition as also in filing the application. No particulars have been disclosed. Vague averments have

been made. Only blame is sought to be put on the Standing Counsel what efforts the official of the Municipality made to enquire about the case and steps taken is not forthcoming.

12. We are not satisfied with the cause shown of such a long delay in filing the applications for restoration and condonation of delay.

13. I.A.No.2 of 2026 in W.P.No.37837 of 2013 is rejected.

14. Consequently, I.A.No.3 of 2026 in W.P.No.37837 of 2013 is rejected as barred by limitation.

W.P.No.23474 of 2026

15. The Tribunal has granted the benefit of the order dt.11.12.2002 passed in OA No.11076 of 2002 against which the writ petition No.1045 of 2007 was filed and dismissed. The learned counsel for the petitioners in W.P.No.23474 of 2026 submits that the SLP(Civil) No.10630 of 2011 was filed challenging the order of the High Court which was also dismissed by the Hon'ble Apex Court.

16. Learned Government Pleader for Services –IV submits that respondent Nos.1 & 2 are not necessary parties and the direction may be issued to respondent No.3 only, which is the competent authority.

17. W.P.No.23474/2026 is allowed. Respondent No.3 shall implement the order of the Tribunal within the period of six weeks.

18. Respondent Nos.1 & 2 shall ensure compliance of this order and shall submit the report of compliance.

19. Post on 24.12.2026 for perusal of the compliance report.

No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, shall also stand closed.

RAVI NATH TILHARI, J

ALAPATI GIRIDHAR, J

Date: 29.10.2026
Note: CC by 03.11.2026
B/o.
AG/KSK.

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

W.P.No.23474 of 2026

&

I.A.Nos.2 & 3 of 2026 in W.P.No.37837 of 2013

Date: 29.10.2026
Note: CC by 03.11.2026
B/o.
AG/KSK.