APHC010361142023

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

[3587]

MONDAY, THE 2nd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT APPEAL NO: 966/2023

Writ Appeal under clause 15 of the Letters Patent to set aside the orders dated 27.09.2019 passed by the Honourable Learned Judge in WP No.14915 of 2019 and may pass

Between:

1. THE COMMISSIONER AND DIRECTOR OF MUNICIPAL ADMINISTRATION, GOVT OF ANDHRA PRADESH, PADMINI ENCLAVE, 5TH LINE, 4/7 M.G INNER RING ROAD, ANNAPURNA NAGAR, GUNTUR, GUNTUR DISTRICT.
2. THE STATE OF ANDHRA PRADESH,, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DIST

...APPELLANT(S)

AND

1. DOOLA SYAMALA, W/O. LATE DEVADAS, AGED 60 YEARS, RTD PARK GARDNER, PRODDATUR MUNICIPALITY, YSR KADAPA DISTRICT R/O D.NO.7/1/511, C/O UTTARADEVI, COURT STREET, BADVEL
2. THE COMMISSIONER, PRODDUTURU MUNICIPALITY, PRODDUTURU, Y.S.R. KADAPA DISTRICT.

3. THE STATE OF ANDHRA PRADESH, REP., BY ITS PRINCIPAL SECRETARY, FINANCE DEPT., SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DIST.

...RESPONDENT(S):

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 dispense with the filing of the certified copy of final order dated 27.09.2019 passed in W.P.No.14915 of 2019 and to pass

IA NO: 2 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 condone the delay of 1366 days in filing the writ appeal against the orders dated 27.09.2019 passed in W.P.No.14915 of 2019 and to pass

IA NO: 3 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 suspend the operations of the final orders in W.P.No.14915 of 2019 dated 27.09.2019 and to pass

Counsel for the Appellant(S):

1. GP FOR SERVICES IV

Counsel for the Respondent(S):

1. GP FOR SERVICES I
2. S VARADARAJULU CHETTY
3. SIVA SANKARA RAO BORRA

The Court made the following:

THE HONOURABLE SRI JUSTICE D RAMESH

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT APPEAL NO: 966/2023

Judgment:- (*Per* Hon'ble Sri Justice D.Ramesh*)*

1. Heard the learned counsel for the appellants and the learned counsel for the respondents.

2. The present Writ Appeal is filed aggrieved by the order dated 27.09.2019 passed by the learned Single Judge in W.P.No.14915 of 2019. The said writ petition was disposed of with the following directions:

> *(5) Hence in view of the above, in this case also, there shall be a direction to the respondents to regularize the services of the petitioner with effect from 27.07.1993, which is the date on which the petitioner completes his ten years of service. Accordingly the writ petition is disposed of. There shall be no order as to costs.*

3. The learned counsel appearing on behalf of the appellants contended that the services of the petitioner were regularized in the year 2019 and that the said regularization was not granted with retrospective effect. It is further contended that the petitioner is not entitled to retrospective regularization. In fact, her services were regularized after considering her request and in accordance

with the norms prescribed under G.O.Ms.No.112. After a considerable lapse of time, the petitioner sought retrospective effect to the said regularization, which is not permissible.

4. Per contra, the learned counsel appearing on behalf of the respondent/petitioner submitted that the identical issue had already been considered by the erstwhile combined High Court of Andhra Pradesh in W.P.No.33936 of 2011 and batch, wherein the following order was passed:

> *On the above analysis the writ petitions are disposed of directing the authorities concerned to extend the benefit of B.Srinivasulu to the employees in this batch of cases by reckoning their services from the date of completion of five years in service, on or before 25.11.1993 for the purposes of their pension and pensionary benefits. They shall however not be entitled to actual monetary benefits for the said period, in the form of arrears of pay or allowances.*

5. The learned counsel further submitted that the said orders were confirmed by the Hon'ble Apex Court in SLP (Civil) Diary No.16376 of 2019 in State of Andhra Pradesh and Others v. N. Yellaiah and Others.

6. Considering the submissions made by both the learned counsel, without going into the merits of the case, the Writ Appeal

is disposed of by modifying the order dated 27.09.2019 passed by the learned Single Judge in W.P.No.14915 of 2019, in terms of the order passed by the erstwhile combined High Court of Andhra Pradesh in W.P.No.33936 of 2011 and batch. Accordingly, the authorities concerned are directed to reckon the services of the petitioner from the date of completion of five years of service, on or before 25.11.1993, for the purpose of pensionary benefits. However, the petitioner shall not be entitled to any actual monetary benefits for the said period in the form of arrears of pay or allowances. There shall be no order as to costs.

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

JUSTICE D.RAMESH

JUSTICE BALAJI MEDAMALLI

Date: 02.11.2026
klk

THE HONOURABLE SRI JUSTICE D RAMESH

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

51

W.A.No.966 of 2023

Dated: 02.11.2026

klk