APHC010462802025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3460]
(Special Original Jurisdiction)

WEDNESDAY, THE 14th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 23497/2025

Between:

1. DR K SAI PRASAD REDDY,, M.TECH (ELECTRONICS) PH.D (ELECTRONICS) AGED 56 YEARS S/O SRI K BHEEMI REDDY OCC TECHNICIAN GRADE II, UNIVERSITY SCIENCE INSTRUMENTATION CENTRE (USIC), SRI KRISHNADEVARAYA UNIVERSITY, ANANTAPUR, R/O D NO27-57-2, VIDYARANYA NAGAR, PAPAMPETA, KALYANADURGAM ROAD, ANANTAPUR, ANDHRA PRADESH 515004 CELL NO.9989646422 EMAIL KSAIPRASADREDDY@YAHOO.COM

...PETITIONER

AND

1. SRI KRISHNADEVARAYA UNIVERSITY, REP BY ITS REGISTRAR
2. THE GOVERNMENT OF ANDHRA PRADESH, HIGHER EDUCATION (UE 1) DEPARTMENT, REP BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, SECRETARIAT, AMARAVATI, ANDHRA PRADESH.

...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 tomay be pleased issue a Writ or order preferably in the nature of Writ of Mandamus Declare the action of the 1st Respondent University in not Re designating the post held by the Petitioner ie Technician Grade II, USIC as Assistant Professor Electronics as was

done in case of identically and similarly placed persons as illegal, arbitrary, discriminatory and violative of Articles 12,14,16 and 21 of Constitution of India and consequently direct the respondents to redesgnate the petitioner as Assistant Professor Electronics from the date he is eligible with all consquently benefits like pay fixation, arrears of pay, seniority and all other consequential benefits and to pass such

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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 direct the Respondents to cosnider the representation of the petitioner dated 2-4-25 and consequenly re designate the petitioner as Assistant Professor Electronics impugned Proceedings/Order dated passed by pending disposal of the above writ petition and pass such

Counsel for the Petitioner:

1. K LAKSHMI NARASIMHA

Counsel for the Respondent(S):

1. O UDAYA KUMAR SC For S K UNIVERSITY

The Court made the following:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

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ORDER:

1. The present Writ Petition is filed questioning the action of Respondent No.1-University in not re-designating the post held by the Petitioner, i.e., Technician Grade-II, USIC, as Assistant Professor (Electronics), as was done in the case of similarly placed persons, as illegal and arbitrary.

2. The Petitioner was appointed as Technician Grade-II in the University Science Instrumentation Center (USIC) of the Respondent-University on 19.09.1992 and has been rendering his services uninterruptedly for 32 years in the Respondent-University. The Petitioner holds a Bachelor of Science (Engineering and Technology) degree from BITS Pilani, acquired on 03.03.2001, a Master of Technology in Electronics, acquired on 15.06.2006, and a Ph.D., in Electronics, acquired on 27.06.2020, in addition to a Diploma in Electronics and Communication Engineering.

3. Apart from that, the Petitioner has substantial academic experience. He has published sixteen research papers in various international journals and conferences and is discharging teaching and academic functions by delivering guest lectures to B. Tech., and

M. Tech., students in subjects such as Software Engineering and Digital Signal Processing and had conducted instrumentation training. Having acquired the above-said qualifications and rendered long service, besides making academic contributions, the Petitioner gave a detailed representation on 02.04.2025 to the Respondent-University, requesting the Respondent-University for re-designation as Assistant Professor (Electronics), on par with the similarly placed persons who were given the said re-designation. As the same was not being considered, the Writ Petition came to be filed.

4. In the Counter-Affidavit filed by the Respondent-University, it is stated that, as per UGC Regulations, 2010, the teaching posts are to be advertised on all India basis and the posts shall be filled through a selection committee. The reliance was also placed on the Judgment of this Court in ***Osmania University Teachers vs. The Union of India[1],*** wherein it was held that there is no provision for conversion of non-teaching staff into teaching staff. It is further stated that the Technical Assistants appointed under the USIC Programme are entitled to draw salaries in accordance with the State Government pay scales and the Petitioner falls within the purview of the State pay scale structure.

[1] 2002 (4) ALT 682

5. In the rejoinder filed by the Petitioner, the contentions in the Counter-Affidavit were denied and reliance was placed on the re-designations granted on earlier occasions.

6. Heard M/s. K. Lakshmi Narasimha, learned counsel for the Petitioner as well as Sri O. Uday Kumar, learned Standing Counsel for the Respondent-University.

7. The Petitioner was appointed as Technician Grade-II in the University Science Instrumentation Center (USIC) of the Respondent-University on 19.09.1992 and has been rendering his services ever since. Taking note of the exceptional academic record of the Petitioner, an offer was made on 14.12.2010, to deliver guest lectures to the students of B. Tech., (CSE-4th year) and ECE (3rd year). On acceptance, the Petitioner was engaged as Guest Lecturer along with 18 others vide Proceedings, dated 15.09.2011 and has been continuing as such. Apart from the substantial post of Technician Grade-II, the Petitioner was appointed as ‘Mentor’ for software training programs in the centre for skill development, entrepreneurship and incubation in the Sri Krishna Devaraya University in 2015. In spite of all the academic pursuits, the Petitioner was not granted any promotion.

8. Be that as it may, the issue in this Writ Petition is for re-designation of the Petitioner as Assistant Professor. The UGC Regulations on Minimum Qualifications for Appointment of Teachers and other Academic staff in Universities and Colleges and measures for maintenance of standards in Higher Education, 2018 were framed by the UGC prescribing minimum standards for appointment to various teaching and non-teaching posts in the Universities and Colleges. The direct recruitment to the post of Assistant Professor and other teaching shall be on all India advertisement and selection process as provided in Clause No.3.1.0 thereof reads as under:-

> ***"3.1.0*** *The direct recruitment to the posts of Assistant Professors, Associate Professors and Professors in the Universities and Colleges shall be on the basis of merit through all India advertisement and selections by the duly constituted Selection Committees as per the provisions made under these Regulations to be incorporated under the Statutes/Ordinances of the concerned university. The composition of such committees should be as prescribed by the UGC in these Regulations."*

9. In the context of this case, the re-designation sought by the Petitioner is in a different cadre and is to be treated as a fresh appointment as there is no channel of appointment from Technician Grade-II to Assistant professor. The emphasis of the counsel for the

Petitioner that the above Regulation could not be construed as an absolute bar for re-designation and the above Regulation prescribes the modality only when the posts are sought to be filled on direct recruitment though sounds attractive at the first blush, but the Regulations do not provide for any other method of recruitment to the said posts. The above Regulations not only provide minimum qualifications for appointment but also provides for “other service conditions” and the method of recruitment being one of the service conditions, it would not be open to the University to adopt any other method.

10. Ideally, a quota should have been specified in the Regulations for the academically qualified in house employees of the University to enable persons akin to the Petitioner to be appointed as Assistant Professor, but in the absence of the enabling Regulation, it would not be appropriate to pass any directions in favour of Petitioner, notwithstanding his academic prowess and qualifications. The reliance on re-designations effected in the University in the pleading of the Petitioner were prior to the UGC Regulations, 2018 and they cannot be taken as a precedent to extend relief to the Petitioner.

11. Therefore, this Court is left without any alternative, but to dismiss the Writ Petition and accordingly, the Writ Petition is dismissed.

The above observations would not come in the way of the claim for scale of pay of Assistant Professor sought by the Petitioner in W.P.No.6381 of 2021.

12. No order as to costs.

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

NYAPATHY VIJAY, J

Date: 14.10.2026
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THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

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Dated: 14.10.2026

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