APHC010526512026

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

WEDNESDAY, THE 7th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 28598/2026

Between:

1. PINISETTI VARALAKSHMI, W/O.LATE PINISETTI SANYASIRAO, AGED 76 YEARS, R/O. DOOR NO.2-3/1, RELLIGAVIRAMMAPETA VILLAGE, L KOTA MANDAL, VIZIANAGARAM - 535161.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, IRRIGATION AND C.A.D DEPARTMENT DEPARTMENT, SECRETARIAT, AMARAVATI, ANDHRA PRADESH - 522237.
2. THE SUPERINTENDING ENGINEER, WATER RESOURCES DEPARTMENT, MAHARANIPETA, (FORMER IRRIGATION CIRCLE), VISAKHAPATNAM - 530002.
3. THE EXECUTIVE ENGINEER, IRRIGATION AND C.A.D DEPARTMENT AYYA KONERU GATTU, NEAR CARE N CURE CHILDREN HOSPITAL VIZIANAGARAM - 535002.
4. THE SPECIAL PRINCIPAL SECRETARY TO GOVERNMENT, WATER RESOURCES DEPARTMENT (IRRIGATION AND CAD), A.P. SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, ANDHRA PRADESH - 522503.

...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 toissue a Writ, Order, or Direction, more particularly one in the nature of Writ of Mandamus declaring the prolonged inaction and failure on the part of the Respondents in settling and disbursing the legitimate retirement and pensionary benefits payable to the Petitioner's late husband, Late Sri Pinisetti Sanyasi Rao (who retired as Assistant Engineer on 13-09-2004 and died on 20-09-2023) including Pension Dues, Pension Arrears, DCRG / Gratuity, Commutation of Pension, Encashment of Earned Leave, GPF, GIS, and other admissible terminal benefits and in further failing to sanction and release the statutory Family Pension legally due to the Petitioner consequent upon her husband's demise, despite repeated visits and representations submitted in the year 2021 and in June, 2026, as being arbitrary, illegal, unjust, unreasonable, violative of Articles 14, 21, and 300-A of the Constitution of India, and contrary to the applicable Revised Pension Rules and also directing the Respondents to forthwith determine, settle, and disburse all the legitimate retirement and pensionary benefits, including pension arrears, DCRG, Commutation, Leave Encashment, GPF, and GIS, due and payable to the Petitioner's late husband from the date of his retirement on 13-09-2004 up to the date of his death on 20-09-2023, along with appropriate/statutory interest for the inordinate and extraordinary delay of nearly 22 years,

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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 direct the Respondents to forthwith consider and dispose of the representations submitted by the Petitioner in the year 2021 and June, 2026, and to immediately release the undisputed/admitted retiral dues and sanction provisional/regular monthly Family Pension to the Petitioner, who is a 76-year-old destitute widow, to meet her basic livelihood and medical expenses

Counsel for the Petitioner:

1. SANTHOSH KUMAR YALLAPU

Counsel for the Respondent(S):

1. GP FOR SERVICES II

The Court made the following:

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ORDER:

1. The present Writ Petition is filed questioning the action of the Respondent-Authorities in not disbursing the retirement benefits payable to the husband of the Petitioner, i.e., Late Sri Pinisetti Sanyasi Rao, as illegal and arbitrary.

2. The husband of the Petitioner, i.e., Late Sri Pinisetti Sanyasi Rao, had retired as Assistant Engineer in the year 2004, on attaining the age of superannuation, from the office of the Executive Engineer, WSM Division, Chodavaram, under the control of the Superintending Engineer, Irrigation Circle, Visakhapatnam. However, neither the retirement benefits nor the pension was paid to the husband of the Petitioner. In the course of time, the husband of the Petitioner namely, Sri Pinisetti Sanyasi Rao (hereinafter referred to as 'the deceased'), expired on 20.09.2023. Thereafter, the Petitioner, being the wife of the deceased, submitted representations along with the death certificate of the deceased, Aadhaar Card and family member certificate to the concerned authorities. Despite the same, the retirement benefits and pension of the deceased were not disbursed to the Petitioner. Hence, the present Writ Petition is filed.

3. Learned Assistant Government Pleader for Services–II submitted that the husband of the Petitioner had never approached the concerned authorities for the release of his retirement benefits and fixation of pension, and unless the requisite documents were furnished by the retired employee, the retirement benefits and pension could not be released voluntarily to that effect. It is further submitted that the Respondent-Authorities are willing to release the retirement benefits to the Petitioner as per her entitlement, subject to the Petitioner submitting the requisite documents at the office of the Executive Engineer, WSM Division, Chodavaram, as the said office is concerned with the processing and release of retirement benefits, pension and other emoluments and entitlements, andif the Petitioner approaches the said authority, necessary action will be taken by that authority.

4. Heard Sri Y. Santosh Kumar, learned counsel for the Petitioner as well as learned Assistant Government Pleader for Services – II.

5. The delay in payment of retirement benefits and pension to the husband of the Petitioner for over 20 years appears to be rather odd, and the instructions furnished to this Court by the learned Assistant Government Pleader do not appear to be bonafide. The contention of the Respondent-Authorities that the deceased-employee never approached them for disbursal of retirement benefits and pension also

appears to be difficult to accept. Be that as it may, since the claim of the Petitioner for the release of retirement benefits, pension and other entitlements of the deceased is not being disputed by the Respondent-Authorities, with the consent of the learned counsel appearing on both sides, this Writ Petition is disposed of at the admission stage, with the following directions:-

(i) The Petitioner shall submit all the necessary documents required for processing of retirement benefits and pension, other entitlements of her deceased-husband to Executive Engineer, WSM Division, Chodavaram.

(ii) Upon receipt of the same, the Executive Engineer, WSM Division, Chodavaram shall forthwith process the amounts due to the Petitioner and Respondent-Authorities are directed to forthwith sanction and disburse the amounts due to the Petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

(iii) The Petitioner shall also be paid interest as provided under the respective retirement regulations.

6. No order as to costs.

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

JUSTICE NYAPATHY VIJAY

Date: 07.10.2026
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Dated:07.10.2026

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