APHC010531352026

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

THURSDAY, THE 8th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 29116/2026

Between:

1. R.RANA PRATHAP SINGH, S/O LATE R CHANDRA SEKHAR PRASAD AGED ABOUT 39 YEARS OCC. SENIOR ASSISTANT, WORKING AT 0/O THE SUPERINTENDING ENGINEER, CONSTRUCTION CIRCLE NO.3, KADAPA, YSR KADAPA DISTRICT.

...PETITIONER

AND

1. THE STATE OF AP, REP.BY ITS PRINCIPAL SECRETARY WATER RESOURCES DEPARTMENT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT-522237
2. THE SUPERINTENDING ENGINEER CONSTRUCTION, CIRCLE NO-3 KADAPA, KADAPA DISTRICT-516001

...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 toto issue a writ, order or direction more in the nature of Writ of Mandamus, declaring the action of the respondents in not releasing five annual grade increments due to the petitioner pertains to the year 01.09.2013, 01.09.2014, 01.09.2015 01.09.2016 and 01.09.2017 whereas withheld due to suspension from 03.03.2013 to 04.09.2018 as illegal, arbitrary,

violation of 14,16 and 21 of the Constitution of India, contrary to Rule-24 of Fundamental Rules and against to the Law laid down by the Honble High court of AP in WP.No.36558 of 2025 Dated 31.12.2025 and consequently direct the respondents to forthwith release the Annual Grade Increments due to the petitioner 01.09.2013, 01.09.2014, 01.09.2015 01.09.2016 and 01.09.2017 along with arrears of pay within a time frame to be fixed by this Honble Court, without any further delay,

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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 to direct the respondents to release the Annual Grade Increments due to the petitioner for the years 01.09.2013, 01.09.2014, 01.09.2015 01.09.2016 & 01.09.2017 with any further delay

Counsel for the Petitioner:

1. HARINATH REDDY SOMAGUTTA

Counsel for the Respondent(S):

1. GP FOR SERVICES II

The Court made the following:

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY

W.P.No.29116 of 2026

ORDER:

1. The present Writ Petition is filed questioning the action of the Respondents in not releasing the annual grade increments due to the Petitioner for the years 2013 to 2017 and to declare the same as illegal and arbitrary.

2. The Petitioner was initially appointed as Junior Assistant in the year 2005 and was promoted to the post of Senior Assistant in the year 2010. While the Petitioner was working as Senior Assistant in GNSS Division No.6, Pulivendula, he was placed under suspension w.e.f. 03.03.2013 in connection with a crime registered for the offences under Section 365, 343, 324 r/w 34 of Indian Penal Code in Crime No.11 of 2013 in Srisailam II Town Police Station. On 04.09.2018, the suspension of the Petitioner was revoked *vide* Proceedings No.SE/CC-3/kdp/EC2/E/11, dated 04.09.2018. As annual increments were not sanctioned for the years 2013 to 2017, the present Writ Petition is filed.

3. Learned counsel for the Petitioner relied upon Order passed by the Division Bench of this Court in W.P. No. 6617 of 2004, dated 04.11.2004 and similar Orders passed

by this Court in W.P.No.9228 of 2021, dated 13.07.2021, W.P.No.4553 of 2021, dated 24.02.2021 and W.P.No.15504 of 2009, dated 16.04.2015 and W.P.No.36534 of 2025, dated 31.12.2025. This Court in similar circumstances had directed the Respondent-authorities to sanction the annual grade increments after referring to the provisions of F.R.24.

4. Learned Assistant Government Pleader appearing for the Respondents would submit that the representation of the Petitioner for the purpose as sought would be considered by the Respondent-authorities and an appropriate decision would be taken.

5. Heard both the counsel.

6. The Division Bench of this Court in W.P.No.6617 of 2004 was considering the case of an individual seeking subsistence allowance after factoring in the annual grade increments. The Andhra Pradesh Administrative Tribunal had directed that the subsisting allowance be paid after taking into account the annual increments. In the Writ Petition filed by the State, the Division Bench of this Court, after referring to the provisions of F.R.24, held that unless an order of withholding increments is passed, the same cannot be withheld.

7. The said principle was followed in series of Judgments of this

Court in W.P.Nos.9228 of 2021, 4553 of 2021 and 18004 of 2022.

8. In that view, the present Writ Petition is allowed declaring the action of the Respondents in withholding the annual grade increments for the years 2013 to 2017 as illegal, and consequently, the Respondent-authorities are directed to verify and release the annual grade increments due to the Petitioner for the years 2013 to 2017 within a period of one (01) month from the date of receipt of a copy of this order.

9. There shall be no order as to costs.

10. As a sequel, the miscellaneous petitions, if any, pending in this Petition shall stand closed.

NYAPATHY VIJAY, J

Date: 08.10.2026
chs

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

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Date: 08.10.2026

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