Date of reserved for orders : ---
Date of pronouncement : 09.10.2026
Date of uploading : 09.10.2026

APHC010536772026

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

FRIDAY, THE 9th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 29351 OF 2026

Between:

1. M RAJA, S/o Atchi Babu Aged about 40 years, Occ Deputy Tahsildar, Working at o/o.Tahsildar, Madugula Mandal, Anakapalli District, Erstwhile Visakhapatnam District.

...Petitioner

AND

1. THE STATE OF ANDHRA PRADESH, rep.by its Principal Secretary Revenue Department, Velagapudi, Amaravathi, Guntur District. 522237

2. The District Collector, Anakapalli District Erstwhile Visakhapatnam District. 530001

3. The Tahsildar, Madugula Mandal Anakapalli District 531027

...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 to issue an appropriate order, writ or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not releasing the three annual grade increments to the petitioner due on 01.10.2021, 01.10.2022 and 01.10.2023 whereas withheld due to suspension vide Progs Rc.No.596/2021/A1 Dated 05.07.2021 and reinstated in to service on 19.08.2023 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 Hon'ble High court of AP in WP.No.25050 of 2026 Dated 03.09.2026 and consequently direct the respondents to forthwith release the Annual Grade Increments due to the petitioner 01.10.2021, 01.10.2022 and 01.10.2023 along with arrears of pay within a time frame to be fixed by this Hon'ble Court, without any further delay,

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 release the Annual Grade Increments due to the petitioner for the years 01.10.2021, 01.10.2022 & 01.10.2023 without any further delay.

Counsel for the Petitioner: HARINATH REDDY SOMAGUTTA

Counsel for the Respondents: GP FOR SERVICES I

The Court made the following order:

Whether the order is :

Speaking Yes/No / Reasoned Yes/No
Reportable Yes/No / Non-Reportable Yes/No

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY

W.P.No.29351 of 2026

ORDER:

1. The present Writ Petition is filed questioning the action of Respondents in not releasing the annual grade increments due to the Petitioner from 2021 to 2023, which were withheld due to suspension of the Petitioner vide impugned Proceedings in Rc.No.596/2021/A1, dated 05.07.2021, though the Petitioner was reinstated into service on 19.08.2023, as illegal and arbitrary.

2. The Petitioner was appointed as Junior Assistant on 15.10.2004 and promoted as Deputy Tahsildar on 01.12.2017. While the Petitioner was working as Deputy Tahsildar in the office of Tahsildar, Chodavaram Mandal, Visakhapatnam District, a trap was laid by the ACB officials on 01.07.2021, pursuant to which, the Petitioner was implicated by the ACB authorities and detained in judicial custody for more than 48 hours. In view of the same, the Petitioner was placed under suspension vide impugned proceedings dated 05.07.2021. During suspension, the annual grade increments, which were due on 01.10.2021, 01.10.2022 and 01.10.2023, were not released to the Petitioner. Pending ACB case, Respondent No.2 reinstated the Petitioner into service on 19.08.2023 and thereafter the Petitioner was sanctioned increment on 01.08.2024 and continued to pay regular

increments. As the increments due from 2021 to 2023 were not released to the Petitioner, 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 case of the Petitioner 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 2021 to 2023 as illegal, and consequently, the Respondent-authorities are directed to release the annual grade increments due to the Petitioner for the years 2021 to 2023 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.

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

NYAPATHY VIJAY, J

Date: 09.10.2026

IS

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

W.P.No.29351 of 2026

Date: 09.10.2026

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