APHC010539202026

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

TUESDAY, THE 13th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 29766/2026

Between:

N Ramarao **...PETITIONER**

AND

The State Of Andhra Pradesh and Others **...RESPONDENT(S)**

Counsel for the Petitioner:

1. T V V KOTESWARA RAO

Counsel for the Respondent(S):

1. GP MUNCIPAL ADMN AND URBAN DEV AP

The Court made the following:

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY

W.P.No.29766 of 2026

O R DE R:

The present Writ Petition is filed questioning the action of the Respondents in not releasing the annual grade increments due to the Petitioner from the years 2022 to 2023, 2023 to 2024, 2024 to 2025 as illegal and arbitrary.

2. The Petitioner has been working as Sanitary Inspector in the Respondent No.2 Department since 2020. A case in FIR No.06-RCT-ACB/SKL/2022, dated 21.09.2022 was registered against the Petitioner by the ACB Authorities under the Prevention of Corruption Act, 1988 and the same was numbered as C.C.No.47 of 2024 on the file of III Additional District & Sessions Judge for ACB cases at Visakhapatnam. Thereafter, another FIR No.07/RCA-ACB/SKL/2022, dated 12.10.2022 was also registered against the Petitioner on 12.10.2022 under Section 13 (2) r/w 13 (1) (b) of the Prevention of Corruption (Amendment) Act, 2018 stating that the Petitioner acquired disproportionate assets for a tune of Rs.64,55,362/-. Thereafter, the Petitioner was placed under suspension vide Orders dated 10.10.2022 by the Respondent Authorities. Thereupon, the suspension of the Petitioner was revoked pending disposal of the case registered against the Petitioner. On account of the suspension, the annual grade increments due to the Petitioner from the years 2022 to 2023, 2023 to 2024, 2024 to 2025 were not released till today. Hence, the present Writ Petition.

3. The grievance of the Petitioner in the present Writ Petition is that the Petitioner was not paid annual grade increments due to the Petitioner from the years 2022 to 2023, 2023 to 2024, 2024 to 2025 even though a

representation was given to that effect to the Respondent Authorities.

4. Learned counsel for the Petitioner relied upon a judgment of the Division Bench of this Court in W.P. No. 6617 of 2004 and similar judgments passed by this Court in W.P.No. 9228 of 2021, 4553 of 2021, and 18004 of 2022. 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.

5. Learned Assistant Government Pleader 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.

6. Heard both the counsel.

7. The Division Bench of this Court in W.P. No. 6617 of 2004, dated 04.11.2004, 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 FR 24, held that unless an order of withholding increments is passed, the same cannot be withheld. This Judgment was consistently followed by the coordinate benches of this Court in W.P.Nos.9228 and 4553 of 2021 and 18004 of 2022 to quote a few.

8. In that view, the present Writ Petition is allowed declaring the action of the Respondents in withholding the annual grade increment due to the

Petitioner from the years 2022 to 2023, 2023 to 2024, 2024 to 2025 as illegal, and consequently, the Respondents are directed to release the annual grade increment due to the Petitioner from the years 2022 to 2023, 2023 to 2024, 2024 to 2025 within a period of One (01) month from the date of receipt of a copy of this Order. There shall be no order as to costs.

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

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NYAPATHY VIJAY, J

Date: 13.10.2026
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THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 29766/2026

Dt. 13.10.2026

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