APHC010574982026

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

[3460]

WEDNESDAY, THE 28th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 31398/2026

Between:

1. PEKALA VENKATA RANGA RAO, S/O. LATE PAPARAO AGED ABOUT 60 YEARS, WORKING AS MPHA (M) SUB CENTER. KODISA. PRIMARY HEALTH CENTER R.AMUDALAVALASA, SRIKAKULAM DISTRICT, R/O.MIG-11/1,APHB COLONY, OPP Z.P. OFFICE, SRIKAKULAM DISTRICT STATE OF A.P.-532001

2. G.V.V.B.SANKARA SASTRY, S/O. G.NARASIMHA SARMA AGED ABOUT 60 YEARS, WORKING AS MPHA (M) TILARU PRIMARY HEALTH CENTER, KOTABOMALLI MANDAL SRIKAKULAM DSITRICT, STATE OF A.P. R/O. FLAT NO.56 AND 57, PANTULUGARI COLONY, OPP. ETS CONVENTION, NEAR SRILAKSHMI NARASIMHA NILAYAM, VOPPANGI VILLAGE, SRIKAKULAM DISTRICT

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP.BY ITS PRINCIPAL SECRETARY, HEALTH MEDICAL AND FAMILY WELFARE DEPARTMENT, SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT, ANDHRA

PRADESH-522502

2. THE STATE OF ANDHRA PRADESH, REP.BY ITS SPL.CHIEF SECRETARY FINANCE (HR IV-FR AND LR) DEPARTMENT, SECRETARIAT, VELAGAPUDI, GUNTUR DSITRICT-522502.

3. THE DIRECTOR OF PUBLIC HEALTH AND FAMILY WELFARE, STATE OF A.P. GOLLAPUDI, VIJAYAWADA NTR DISTRICT -521225

4. THE DISTRICT MEDICAL AND HEALTH OFFICER, SRIKAKULAM, SRIKAKULAM DISTRICT-532410 STATE OF 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 to issue a Writ order particularly in the nature of Writ of Mandamus or any other appropriate Writ Order or direction directing the respondents herein in not extending the age of superannuation upto 62 years to the petitioners herein also, by extending the benefits of G.O.Ms.No. 15, Finance Department dated 31-1-2022 as highly illegal, arbitrary and discrimination and also contrary to the law and consequential the Hon'ble Court may pleased to declaring that the petitioners herein is also entitled to continue in service upto 62 years as MPHA(M) on contract basis with all consequential benefits and pass such

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 may be pleased to direct the respondents to herein continue the petitioners in service as MPHA(M) on contract basis upto the age 62 years, pending disposal of the above Writ Petition and pass such

Counsel for the Petitioner(S):

1. V V PRABHAKARA RAO

Counsel for the Respondent(S):

1. GP FOR SERVICES I

The Court made the following:

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No.31398 of 2026

ORDER:

1. The present Writ Petition is filed questioning the action of Respondents in not continuing the Petitioners in service till they attain the age of 62 years (age of superannuation) on par with the regular employees as provided *vide* G.O.Ms.No.15, Finance (HR.IV-FR&LR) Department, dated 31.01.2022, as illegal and arbitrary.

2. Learned counsel for the Petitioners would submit that the issue involved in this Writ Petition is covered by the Common Order dated 21.07.2026 passed by this Court in W.P.Nos.12413 of 2025 and batch and requested to pass a similar order in this Writ Petition also.

3. W.P.Nos.12413 of 2025 and batch is disposed of with the following directions:

> *(i) The State Government shall examine the issue and take a conscious decision about enhancement of age upto 62 years to non-regular employees working for a substantial number of years in State departments and State owned/controlled entities;*

(ii) Till such time, the petitioners/non-regular employees in service shall be continued or till they attain the age of 62 years;

(iii) The petitioners who have retired on attaining the age of 60 years may be considered for re-engagement till 62 years in the event no alternative arrangement is made.

4. Learned Assistant Government Pleader for Services-II does not dispute the same.

5. In view of the same, this Writ Petition is disposed of in terms of the Common Order, dated 21.07.2026 passed by this Court in W.P.No.12413 of 2025 and batch.

6. There shall be no order as to costs.

7. Registry is directed to attach a copy of the Common Order, dated 21.07.2026 passed by this Court in W.P.Nos.12413 of 2025 and batch to this order.

8. As a sequel, the miscellaneous petitions if any shall stand dismissed.

NYAPATHY VIJAY, J

Date: 28.10.2026
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THE HON'BLE SRI JUSTICE NYAPATHY VIJAY

15

WRIT PETITION No.31398 of 2026

Date: 28.10.2026

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