APHC010575612026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3573]**
(Special Original Jurisdiction)

THURSDAY, THE 29th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT PETITION NO: 31447/2026

Between:

1. SRI KAMALAPURAM LAKKISETTY SUBRANNANYAM,, S/O. LATE KAMALAPURAM ANJANEYULU, AGED ABOUT 59 YEARS, OCC ASSISTANT ENGINEER (HOUSING), PRODDATUR RURAL, YSR KADAPA DISTRICT, ANDHRA PRADESH - 516360.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, HOUSING DEPARTMENT, SECRETARIAT, VELAGAPUDI, ANDHRA PRADESH 522503.
2. THE MANAGING DIRECTOR, ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED, VIJAYAWADA, ANDHRA PRADESH 520001.
3. THE DISTRICT COLLECTOR AND EXECUTIVE DIRECTOR, ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED, YSR KADAPA DISTRICT, KADAPA, ANDHRA PRADESH 516001.
4. THE DISTRICT HEAD OF HOUSING, ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED, YSR KADAPA DISTRICT, KADAPA, ANDHRA PRADESH 516001.
5. THE PROJECT DIRECTOR, ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED, YSR KADAPA DISTRICT, KADAPA, ANDHRA PRADESH 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 to issue a Writ, Order or Direction, more particularly one in the nature of a Writ of Mandamus, declaring the inaction of the respondents, particularly Respondent No. 5, in sanctioning and releasing the subsistence allowance

payable to the petitioner from 15.05.2026 onwards, despite the petitioner's repeated representations, submission of the non-employment certificate and the request forwarded by the District Head of Housing vide Letter Rc. No. 1155/A1/2026, dated 01.09.2026, as illegal, arbitrary and contrary to the applicable rules and consequently direct the respondents to calculate, sanction and release all arrears of subsistence allowance legally payable to the petitioner from 15.05.2026 till the date of actual payment, and to continue sanctioning and paying the subsistence allowance on a monthly basis for the entire period during which the petitioner remains under suspension and is legally entitled to receive such allowance, in accordance with Fundamental Rule 53 and the applicable rules, within such time as may be fixed by this Hon'ble Court,

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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, particularly Respondent No. 5, to forthwith calculate, sanction and release the arrears of subsistence allowance legally payable to the petitioner from 15.05.2026 till the date of actual payment, and to continue sanctioning and paying the subsistence allowance on a monthly basis for the entire period during which the petitioner remains under suspension and is legally entitled to receive such allowance, in accordance with Fundamental Rule 53 and the applicable rules, pending disposal of the above Writ Petition,

Counsel for the Petitioner:

1. SIVASUBRAMANYAM AVINASH

Counsel for the Respondent(S):

1. GP FOR SERVICES III

The Court made the following:

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

ORDER:

The Writ Petition is filed for the following relief:

> *"to issue a Writ, Order or Direction, more particularly one in the nature of a Writ of Mandamus, declaring the inaction of the respondents, particularly Respondent No. 5, in sanctioning and releasing the subsistence allowance payable to the petitioner from 15.05.2026 onwards, despite the petitioner's repeated representations, submission of the non-employment certificate and the request forwarded by the District Head of Housing vide Letter Rc. No. 1155/A1/2026, dated 01.09.2026, as illegal, arbitrary and contrary to the applicable rules and consequently direct the respondents to calculate, sanction and release all arrears of subsistence allowance legally payable to the petitioner from 15.05.2026 till the date of actual payment, and to continue sanctioning and paying the subsistence allowance on a monthly basis for the entire period during which the petitioner remains under suspension and is legally entitled to receive such allowance, in accordance with Fundamental Rule 53 and the applicable rules, within such time as may be fixed by this Hon'ble Court,…"*

2. Heard Sri Siva Subramanyam Avinash, learned counsel for the petitioner, Ms.B.Sameera, learned Assistant Government Pleader for Services-III and Sri K.Mallikarjuna Murthy, learned Standing Counsel for A.P.State Housing Corporation appearing on behalf of respondents.

3. The case of the petitioner is that, he is working as an Assistant Engineer (Housing) in the Andhra Pradesh State Housing Corporation Limited and was kept in charge of the post of Deputy Executive Engineer (Housing), Proddatur Rural Sub-Division, in addition to his regular duties, vide proceedings dated 30.06.2025. Subsequently, vide proceedings dated 14.05.2026, issued by the District Collector and Executive Director, APSHCL, YSR Kadapa District, he was placed under suspension with immediate effect in connection with the alleged shortage of steel in Proddatur Rural Housing Godown. The suspension proceedings provide for payment of subsistence allowance in accordance with Fundamental Rule 53, subject to fulfilment of the prescribed conditions. The petitioner submits that, despite submitting

repeated representations dated 31.05.2026, 30.06.2026, 19.08.2026, 28.08.2026 and 30.09.2026, along with requisite non-employment certificate, his subsistence allowance for the period commencing from 15.05.2026 has not been paid. He further submits that the District Head of Housing, APSHCL, vide letter dated 01.09.2026, addressed to the Managing Director, APSHCL, had also recommended issuance of necessary directions for sanction of subsistence allowance. However, despite the aforesaid representations and official correspondence, the subsistence allowance has not been released. Hence, the Writ Petition.

4. Learned counsel for the petitioner submits that petitioner is not questioning the departmental enquiry or the allegations leveled against him, but his grievance is confined to non-payment of subsistence allowance legally payable to him during the suspension period. Hence, learned counsel for the petitioner seeks a direction to the respondents to consider and pass appropriate orders on the representation of the petitioner along with a certificate under F.R.53(2) and seeks to pass appropriate orders on the same duly considering the certificate submitted by the petitioner.

5. Considering the request made by the learned counsel for the petitioner, respondent Nos.2, 4 and 5 are directed to consider the representation of the petitioner and pass appropriate orders duly taking into consideration the certificate under FR 53(2), within a period of four (04) weeks from the date of receipt of a copy of the order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Consequently, miscellaneous petitions if any, shall stand closed.

JUSTICE BALAJI MEDAMALLI

Dated: 29.10.2026
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THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

Writ Petition No. 31447 of 2026

Date: 29.10.2026

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