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APHC010585272026

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

WEDNESDAY, THE 4th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 32202 OF 2026

Between:

1. Rekhapalli Jaya Venkata Srivalli, D/o Late Ramana Rao, Age 39 years Occ Office Subordinate, Machilipatnam Municipal Corporation, Krishna District.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, rep by its' Prl. Secretary to the MA and UD, Secretariat buildings, Velagapudi-522237.

2. The Commissioner and Director of MA and UD, 4th Floor, APCRADA, Project office Building, Rayapudi, Guntur-522237.

3. Machilipatnam Municipal Corporation, Rep. by its Commissioner, Machilipatnam, Krishna District. 521001.

4. The Director of Treasury and Accounts, 1st Floor, Nidhi Bhavan, Behind APIIC building, IT Park, Mangalagiri. 522503.

5. The District Treasury Officer, Machilipatnam, Krishna District. 521001.

...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 a Writ order particularly in the nature of writ of mandamus to declare the letter of the 5th respondent dt.06.09.2024 by deciding my status as 'NOT DEPENDENT' and the letter of the 4th respondent dt.20.12.2025 are without competency and jurisdiction and also consequential show cause notice dt.23.10.2026 issued by the 3rd respondent is as illegal, arbitrary, in violation of Art 14,16,21 of the Constitution of India and consequently direct the respondents to restrain in taking action with reference to my appointment and to Process/release the salaries by setting aside the letter of the 5th respondent dt.06.09.2024 and the Letter Lr.No.FIN02-18069/150/2025-H SEC-DTA, dt.20.12.2025 issued by the 4th respondent directing the 2nd respondent to take necessary action by deciding my status as 'NOT DEPENDENT' and also quash the Show cause notice vide ROC No.3721/2018-E2/C1 dt.23.10.2026.

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 not to take any coercive action, by suspending the ROC No.3721/2018-E2/C1 dt.23.10.2026 issued by the 3rd respondent pending writ petition.

Counsel for the Petitioner: K SREEDHAR MURTHY

Counsel for the Respondents: GP FOR SERVICES IV

Counsel for the Respondents: A. S. C. BOSE

(SC FOR MUNICIPAL CORPORATIONS AP)

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

HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No.32202 of 2026

ORDER:

1. The present Writ Petition is filed questioning the letter of Respondent No.5 dated 06.09.2024 deciding the status of the Petitioner as 'Not Dependent' and the letter of Respondent No.4 dated 20.04.2025 and consequential show-cause notice dated 23.10.2026 issued by Respondent No.3, as illegal and arbitrary.

2. The father of Petitioner by name late Ramana Rao had worked as Fitter Bed Operator in Respondent No.3-Corporation. The Petitioner and her brother Naga Sathya Srinivasa Rao are the children of said Ramana Rao, who had expired in the year 2007 while in service. As per the record, the Petitioner was married to one T. Venkata Subba Rao in the same year and blessed with two female children during the wedlock. As the husband of the Petitioner was not taking care of the Petitioner and her children, the Petitioner was residing at her parents' house since the year 2015. The Petitioner again went to her husband in the year 2017 and eventually, she was said to have been necked out along with her children.

3. The brother of the Petitioner, who was unmarried, was appointed as House Cleaner in the Respondent-Corporation had died while in service on 04.06.2017.

4. In the light of the death of the un-married brother of the Petitioner, the Petitioner was appointed on compassionate grounds as Office Subordinate. However, the salary of the Petitioner was not being paid as certain objections were raised with regard to her appointment on compassionate grounds by the District Treasury & Accounts Officer. In that context, the Commissioner & Director of Municipal Administration requested the State Government to issue suitable orders.

5. Thereafter, the State Government informed vide Memo that the Petitioner is the married sister of the Government employee and was not legally divorced on the date of the death of her brother i.e., 04.06.2017 or on the date of application for compassionate appointment and therefore she cannot be termed to be a “dependent” seeking for appointment on compassionate grounds.

6. In that context, a show-cause notice was issued by Respondent No.3 on 23.10.2026 calling for explanation of the Petitioner as to why necessary further action would not be initiated

against the Petitioner as per Rules in vogue. Questioning the same, the present Writ Petition is filed.

7. Learned counsel for the Petitioner submits that the Petitioner is to be construed as a ‘dependent’ as she is a divorced woman with two young children. Learned Standing Counsel appearing for the Respondent-Corporation submits that the impugned order is only a show-cause notice and the Petitioner ought to give explanation and satisfy the authorities concerned that she was a dependent on her brother and that the present Writ Petition cannot be sustained.

8. Heard the counsels.

9. The impugned order is only a show-cause notice and the scope of interference by this Court, at this stage, is limited only in exceptional cases. In the present case, the Petitioner was married in the year 2007 and was residing with her husband even in the year 2017 i.e., the year in which the brother of the Petitioner had expired while in service. Subsequently, the Petitioner had taken an *ex parte* decree of divorce in the year 2020.

10. The moot question for claiming appointment on compassionate grounds is “dependency” and whether the Petitioner was dependent on her brother is a question of fact and it would not

be appropriate for this Court to venture into factual aspects at this stage in this Writ Petition.

11. Therefore, the Writ Petition is dismissed, leaving it open to the Petitioner to submit her explanation to the impugned show-cause notice dated 23.10.2026. No order as to costs.

As a sequel, pending applications, if any, shall stand closed.

NYAPATHY VIJAY, J

Date: 04.11.2026

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HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No.32202 of 2026

Date: 04.11.2026

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