APHC010589772026

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

FRIDAY, THE 13th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 32437/2026

Between:

P Madhusudhan Rao **...PETITIONER**

AND

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

Counsel for the Petitioner:

1. NAGESWARA RAO CHAVA

Counsel for the Respondent(S):

1. GP FOR SERVICES IV
2. S PRANATHI

The Court made the following:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 32437/2026

ORDER:

The present Writ Petition is filed questioning the action of the Respondents in not releasing the annual grade increment due to the Petitioner for the year 2014 as illegal and arbitrary.

2. The Petitioner had retired from service as Architectural Draughtman on 30.04.2024. In the year 2014, a case in FIR No.08/RCA-ACB-VJA/2014, dated 16.03.2014 was registered against the Petitioner by the ACB Authorities, Vijayawada, under Section 7 of the Prevention of Corruption Act, 1988 and the same was numbered as C.C.No.2 of 2016 on the file of the Special Judge for trial of SPE & ACB cases, Vijayawada, and the same is pending. While so, the Petitioner was placed under suspension vide Orders dated 19.03.2014 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 Thereupon, the suspension of the Petitioner was revoked pending disposal of the case registered against the Petitioner.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 increment due to the Petitioner for the year 2014 was not released till today. Hence, the present Writ Petition.

3. 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.

4. Learned Standing Counsel 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.

5. Heard both the counsel.

6. The Division Bench of this Court in W.P. No. 6617 of 2004, dated 04.11.2004 had considered the case of an individual seeking subsistence allowance after factoring in the annual grade increments. In the said case, 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.

7. 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 for the year 2014 as illegal, and consequently, the Respondents are directed to release the annual grade increment due to the Petitioner for the year 2014 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

JUSTICE NYAPATHY VIJAY

Date : 13.11.2026
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THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WP No.32437 of 2026

Dt.13-11-2026

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