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**HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT AMARAVATI**

C.C.NO. OF 2025

AGAINST

WP No 10368 of 2025

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Amaravati
Dt: 30.07.2025


COUNSEL FOR PETITIONER

MEMORANDUM OF CONTEMPT CASE

**(Filed under Section 10 to 12 of the Contempt of
Courts Act)**

**HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT AMARAVATI**

C.C. No. OF 2025

AGAINST

WP No 10368 of 2025

Between:

**Ch. Suresh Naidu S/o Late Ch.H.Prabhakara Rao,
Age 51 Years, Occ: Executive officer Grade- I
Presently working at Undi Group Temples, Undi Mandal
Bhimavaram, West Godavari District
R/o D. No. 12-3-2, Ayyavari Street, Gunpudi,
Ward No. 16, Bhimavaram, West Godavari District**

...Petitioner

AND

**K. Ramachandra Mohan, S/o not known to the Petitioner
The Commissioner,
Endowments Department,
Gollapudi, Vijayawada,
Krishna District.**

...Respondents

**The address of the petitioner for service of summons
and notices etc. on the petitioner may be served on his
counsel **D.V. SASIDHAR (10944) & M.V.S. NIKHIL
KASHYAP** Advocates H. No. 72-3-6, Patamata, Vijayawada-
520010, N.T.R. District.**

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For the reasons and circumstances stated in the accompanying affidavit, the petitioner herein prays that this Hon'ble Court may be pleased to punish the respondent under Sections 10 to 12 of The Contempt of Courts Act, 1971 for willful violation and disobedience of the orders of this Hon'ble Court passed in W.P No. 10368 of 2025 dated 28.04.2025 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Amaravati
Dated: 30.07.2025


COUNSEL FOR PETITIONER

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IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

C.C No. of 2025

IN

W.P.No. 10368 of 2025

BETWEEN:

Ch. Suresh Naidu S/o Late Ch.H.Prabhakara Rao,
Age 51 Years, Occ: Executive officer Grade-I,
Presently working at Undi Group Temples, Undi Mandal
Bhimavaram, West Godavari District
R/o D. No. 12-3-2, Ayyavari Street, Gunpudi,
Ward No. 16, Bhimavaram, West Godavari District

...Petitioner

AND

K. Ramachandra Mohan, S/o not known to the Petitioner
The Commissioner,
Endowments Department,
Gollapudi, Vijayawada,
Krishna District.

...Respondent

AFFIDAVIT FILED BY THE PETITIONER

I, Ch. Suresh Naidu S/o. Late Ch. Prabhakara Rao, Age 51
Years, Occ: Executive Officer Grade - I Presently working at Undi
Group Temples, Undi Mandal, West Godavari District, temporarily
came down to Vijayawada, do hereby solemnly affirm and state on
oath as follows:

1. I submit that, I am the petitioner in the writ petition and deponent herein and as such I am well acquainted with the facts of the case.
2. I submit that, the I have filed Writ petition in W.P.No.10368 of 2025 action of the 2nd respondent in issuing proceedings vide Rc.No.E2/15021/284/2024 dated 19.02.2025 in not

use

Ch. Suresh Naidu

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considering the claim of the petitioner for promotion to the post of Assistant Commissioner, Endowments Department from Executive Officer- Grade I post on temporary basis as per Rule 10 (a) of AP State & Subordinate Service Rules, 1996 as was done in case of respondent No's 3 & 4 as bad, illegal, arbitrary, abuse of power, without application of mind, absurd and violative of Article 14, 16 and 21 of Constitution of India and violative of principles of natural justice.

3. I submit that, this Hon'ble court on 28.04.2025 has passed the interim orders directing the respondent to consider my case for promotion to the post of Assistant Commissioner on ad-hoc basis in terms of Rule-10 (A) of the A.P State and Subordinate Service Rules, 1996 within a period of 6 weeks and the operative portion of the order is extracted hereunder for kind perusal of this Hon'ble Court:

"5. Accordingly, the 2nd respondent is directed to consider the case of the petitioner for promotion as Assistant Commissioner on ad-hoc basis in terms of Rule 10-A of the A.P. State and Subordinate Service Rules, 1996, if otherwise, he is within the zone of consideration and eligible, within a period of six weeks from the date of receipt of a copy of this order."

4. I submit that, thereafter I have submitted a representation on 01.05.2025 by enclosing a copy of the order dated 28.04.2025 of this Hon'ble court and requested the respondent authorities to grant me promotion to the post of Assistant Commissioner, Endowments Department on ad-

10/6

Ch. Suresh Naidu

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hoc basis by complying the orders of this Hon'ble Court. However, till date the respondent has not complied with the orders of this Hon'ble court

5. I submit that, all my juniors to me promotions were granted as Assistant Commissioners on Adhoc basis however I was discriminated from them and the said fact is evident from the affidavit and documents which are filed along with the writ petition. I was made run from pillar to post, however the orders of this Hon'ble court dated 28.04.2025 are not complied till date. As such I was constrained to file the present contempt case.
6. I submit that, the action of the respondent is not only arbitrary but amounts to clear violation of the orders of this Hon'ble Court. The respondent, despite being aware of the interim direction, have deliberately chosen to contravene the same. This act of the respondents clearly establish that he is willfully flouting the orders of this Hon'ble Court. Hence the present contempt case.
7. I submit that the respondent does not have any respect towards the orders of this Hon'ble Court and he is willfully and wantonly violating the orders, as such he is liable for punishment under the Contempt of Courts Act.

It is therefore prayed, that this Hon'ble Court may be pleased to punish the respondent under Sections 10 to 12 of The Contempt of Courts Act, 1971 for willful violation and disobedience of the orders of this Hon'ble Court passed in

WR

Ch Suresh Naidu

b

W.P No. 10368 of 2025 dated 28.04.2025 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Solemnly affirmed and signed
on this the day of June 2025,
at Vijayawada

~~BEFORE ME~~

(WSR)
ADVOCATE: VIJAYAWADA
(WSRAO)

Ch. Suresh Naidu
DEPONENT

VERIFICATION

I, Ch. Suresh Naidu S/o. Late Ch. Prabhakara Rao, Age 51 Years, Occ: Executive Officer Grade - I Presently working at Undi Group Temples, Undi Mandal, West Godavari District, temporarily came down to Vijayawada, do hereby verify and state that the contents of the affidavit filed are true to my personal knowledge, based on information, record, and believed to be correct on legal advice. Verified on this the day of June, 2025, at Vijayawada.

Suresh
ADVOCATE

Ch. Suresh Naidu
DEPONENT

**KRISHNA DISTRICT
HIGH COURT OF JUDICATURE
OF ANDHRA PRADESH
AT AMARAVATI**

C.C.NO. OF 2025

AGAINST

WP No 10368 of 2025

**MEMORANDUM OF CONTEMPT
CASE**

FILED ON: 30.07.2025

FILED BY:

D.V. SASIDHAR (10944)

M.V.S. NIKHIL KASHYAP

COUNSEL FOR PETITIONER

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[3506]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
MONDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

:PRESENT:
HONOURABLE SRI JUSTICE CHALLA GUNARANJAN
IA No. 1 OF 2025
IN



Between:

WP NO: 10368 OF 2025

Ch. Suresh Naidu, S/o Late Ch.H.Prabhakara Rao, Age 51 Years, Occ
Executive officer Grade-1 Presently working at Sri Adikesava Embarmannar
Swamy Temple Narsapuram, West Godavari District R/o D. No. 12-3-2,
Ayyavari Street, Gunpudi, Ward No. 16, Bhimavaram, West Godavari District

...Petitioner

(Petitioner in WP 10368 OF 2025
on the file of High Court)

AND

1. The State of Andhra Pradesh, Rep. by its Special Chief Secretary,
Revenue (Endowments) Department, Secretariat, Velgapudi,
Amaravathi, Guntur District.
2. The Commissioner, Endowments Department, Gollapudi, Vijayawada,
Krishna District.
3. R.G.Sridevi, W/o. Not known to the petitioner Age 45 years, Occ
Assistant Commissioner in Sri Valli Devasena Sameta Sri
Subrahmanyeswara Swamy Temple, Mudinepally Mandal,
Singarayapalem, Krishna District, Andhra Pradesh
4. M.Satyanarayana Raju, S/o. Subbaraju Age 52 years, Occ Assistant
Commissioner and EO of Sri Vigneswara Swamyvari Devasthanam,
Inavalli, Dr BR Ambedkar Konaseema District

...Respondents

(Respondents in-do-)

Counsel for the Petitioner : Sri D V SASIDHAR

Counsel for the Respondents 1 and 2 : GP FOR ENDOWMENTS

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Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 2nd respondent to grant promotion to the petitioner as Assistant Commissioner, Endowments Department on temporary basis as per Rule 10 (a) of AP State & Subordinate Service Rules, 1996 as per Govt. Memo No. REV01-Endw/128/2024-End-I dated 06.02.2024 without reference to the 2nd respondent proceedings Rc.No.E2/15021/284/2024 dated 19.02.2025, Pending disposal of WP No. 10368 of 2025, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

"Petitioner presently working as Executive Officer Grade-I is eligible to be promoted as Assistant Commissioner. Earlier he filed W.P. No.11623 of 2024 questioning the action of respondents in not considering his case for promotion in terms of Rule 10-A of the A.P. State and Subordinate Service Rules, 1996, and giving preference to unofficial respondents herein in promotion on ad-hoc basis, in which, this Court passed interim order, dated 10.05.2024, directing respondents to consider petitioner's representation, dated 14.03.2024 and pass speaking order. However, 2nd respondent has, by impugned proceedings, dated 19.02.2025, while sustaining the promotions given to the unofficial respondents herein, who are juniors to petitioner, deferred the case of the petitioner in view of pendency of finalization of the seniority.

2. Learned counsel for the petitioner submits that as per Memo.in Rc.No.E2/2825310/2019, dated 28.11.2022, the revised seniority list of

Executive Officers Grade-I and Grade-II, petitioner stood at Sl.No.62 and whereas the unofficial respondents are at Sl.Nos.74 and 77 and they have been already promoted on ad-hoc basis as Assistant Commissioners, respondents ought to have extended similar benefit to the petitioner. Even if final seniority list is to be prepared, the aforesaid seniority would not change.

3. Learned Government Pleader appearing for respondents 1 and 2 has placed on record written instructions, dated 28.04.2025, stating that the case of unofficial respondents have been considered in view of the orders passed in W.P. No.28367 of 2022 and C.C.No.3068 of 2023 and in view of administrative exigencies and Rule 10-A of the A.P. State and Subordinate Rules, 1996 and the case of the petitioner would be considered soon after finalization of seniority. But, the said instructions did not deny the aspect of unofficial respondents being juniors to the petitioner.

4. In view of the same, this Court is of prima facie opinion that when respondents 1 and 2 have extended the benefit of ad-hoc promotions to unofficial respondents 3 and 4, who are juniors to petitioner, petitioner is also entitled to be treated on par with them and in terms of Rule 10-A of the A.P. State and Subordinate Service Rules, 1996, he is entitled to be considered for promotion on ad-hoc basis.

5. Accordingly, the 2nd respondent is directed to consider the case of the petitioner for promotion as Assistant Commissioner on ad-hoc basis in terms of Rule 10-A of the A.P. State and Subordinate Service Rules, 1996, if otherwise, he is within the zone of consideration and eligible, within a period of six weeks from the date of receipt of a copy of this order."

//TRUE COPY//

SD/-B.CHITTI JOSEPH
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Special Chief Secretary, State of Andhra Pradesh, Revenue (Endowments) Department, Secretariat, Velgapudi, Amaravathi, Guntur District. (SPECIAL MESSENGER)
2. The Commissioner, Endowments Department, Gollapudi, Vijayawada, Krishna District.
3. R.G.Sridevi, Age 45 years, Occ Assistant Commissioner in Sri Valli Devasena Sameta Sri Subrahmanyeswara Swamy Temple, Mudinepally Mandal, Singarayapalem, Krishna District, Andhra Pradesh
4. M.Satyanarayana Raju, S/o. Subbaraju Age 52 years, Occ: Assistant Commissioner and EO of Sri Vigneswara Swamyvari Devasthanam, Inavalli, Dr BR Ambedkar Konaseema District. (Nos. 2 to 4 by RPAD)
5. One CC to SRI. D V SASIDHAR Advocate [OPUC]
6. Two CCs to GP FOR ENDOWMENTS, High Court Of Andhra Pradesh. [OUT]
7. One spare copy

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HIGH COURT

CGR,J

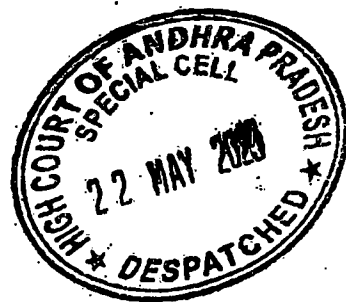
DATED: 28/04/2025

POST AFTER EIGHT WEEKS

ORDER

IA No. 1 OF 2025
IN
WP.No.10368 of 2025

DIRECTION



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**MEMORANDUM OF WRIT PETITION
(SPECIAL ORIGINAL JURISDICTION)
(UNDER ART. 226 OF THE CONSTITUTION OF INDIA)**

**HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT AMARAVATI**

W.P. NO. 10368 OF 2025

Between:

Ch. Suresh Naidu S/o Late Ch.H. Prabhakara Rao,
Age 51 Years, Occ: Executive officer Grade- I
Presently working at Sri Adikesava Embarmanar Swamy
Temple,
Narsapuram, West Godavari District
R/o D. No. 12-3-2, Ayyavari Street, Gunpudi,
Ward No. 16, Bhimavaram, West Godavari District

...Petitioner

AND

1.The State of Andhra Pradesh
Rep. by its Special Chief Secretary,
Revenue (Endowments) Department,
Secretariat, Velgapudi, Amaravathi,
Guntur District.

2.The Commissioner,
Endowments Department,
Gollapudi, Vijayawada,
Krishna District.

3.R.G. Sridevi, W/o. Not known to the petitioner
Age: 45 years, Occ : Assistant Commissioner in
Sri Valli Devasena Sameta Sri Subrahmanyeswara Swamy
Temple, Mudinepally Mandal,
Singarayapalem, Krishna District, Andhra Pradesh

4.M.S atyanarayana Raju, S/o. Subbaraju
Age: 52 years, Occ : Assistant Commissioner & EO of
Sri Vigneswara Swamyvari Devasthanam,
Inavalli, Dr BR Ambedkar Konaseema District

...Respondents

The address of the petitioner for service of summons and notices etc. on the petitioner may be served on his counsel **D.V. SASIDHAR (10944) & M.V.S. NIKHIL KASHYAP** Advocates H. No. 72-3-6, Patamata, Vijayawada-520010, N.T.R. District

In the circumstances and for the reasons stated above, it is prayed this Hon'ble Court may be pleased to issue a writ order or direction more particularly, one in the nature of Writ of **Mandamus**, declaring the challenging the action of the 2nd respondent in issuing proceedings vide Rc.No.E2/15021/284/2024 dated 19.02.2025 in not considering the claim of the petitioner for promotion to the post of Assistant Commissioner, Endowments Department as bad, illegal, arbitrary, abuse of power, without application of mind, absurd and violative of Article 14, 16 and 21 of Constitution of India and violative of principles of natural justice and consequently setaside the same by directing the 2nd respondent to promote the petitioner to the post of Assistant Commissioner, Endowments Department from Executive Officer Grade-I from the date of his eligibility with all consequential monetary and service benefits and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case in the interests of Justice.

Amaravati
DATE: 17.04.2025

Counsel for the Petitioner

IN THE HIGH COURT OF ANDHRA PRADESH AT: AMARAVATHI.

W.P. No. 10368 of 2025

Between:

Ch. Suresh Naidu S/o Late Ch.H. Prabhakara Rao,
Age 51 Years, Occ: Executive officer Grade- I
Presently working at Sri Adikesava Embarmanar Swamy Temple,
Narsapuram, West Godavari District
R/o D. No. 12-3-2, Ayyavari Street, Gunpudi,
Ward No. 16, Bhimavaram, West Godavari District

...Petitioner

AND

1. The State of Andhra Pradesh
Rep. by its Special Chief Secretary,
Revenue (Endowments) Department,
Secretariat, Velgapudi, Amaravathi,
Guntur District.
2. The Commissioner,
Endowments Department,
Gollapudi, Vijayawada,
Krishna District.
3. R.G.Sridevi, W/o. Not known to the petitioner
Age : 45 years, Occ : Assistant Commissioner in
Sri Valli Devasena Sameta Sri Subrahmanyeswara Swamy
Temple, Mudinepally Mandal,
Singarayapalem, Krishna District, Andhra Pradesh
4. M.Satyanarayana Raju, S/o. Subbaraju
Age : 52 years, Occ : Assistant Commissioner & EO of
Sri Vigneswara Swamyvari Devasthanam,
Inavalli, Dr BR Ambedkar Konaseema District

...Respondents

AFFIDAVIT

I, Ch. Suresh Naidu S/o. Late Ch. Prabhakara Rao, Age 51 Years,
Occ: Executive Officer Grade - I Presently working at Sri Adikesava

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Embarmanar Swamy Temple, Narsapuram, West Godavari District temporarily came down to Vijayawada, do hereby solemnly affirm and sincerely state on oath as follows:

1. I submit that, I am the petitioner and deponent herein as such I am well acquainted with the facts of the case.
2. It is humbly submitted that the present writ petition is filed challenging the action of the 2nd respondent in issuing proceedings vide Rc.No.E2/15021/284/2024 dated 19.02.2025 in not considering the claim of the petitioner for promotion to the post of Assistant Commissioner, Endowments Department from Executive Officer- Grade I post as bad, illegal, arbitrary, abuse of power, without application of mind, absurd and violative of Article 14, 16 and 21 of Constitution of India and violative of principles of natural justice.
3. I submit that, I was initially appointed as Executive Officer Grade-III on 30.03.2005 on compassionate grounds, thereafter I was promoted to the post of Executive Officer Grade-II on 31.12.2007. Finally, I was promoted to the post of Executive Officer- Grade I vide proceedings of the 2nd respondent dated 15.10.2011 and I am working as such as on today, presently I am discharging my services as Executive Officer Grade -I of Sri Veereswara Swamy vari Devasthanam, Pattisam Village, Polavaram Mandal, Eluru District to the utmost satisfaction of my superior authorities. It is also not out of place to submit that, recently on 27.10.2024 I was also sanctioned annual grade increment by the 2nd respondent.

(b)

4. I submit that, a provisional seniority list was prepared on 10.01.2019 of Executive officers- Grade I of Zone I and II and same final seniority list is released on 30.01.2019 in the said seniority list the following are the details about the persons from Sl. No.1 to 56 regarding their eligibility/ ineligibility/ promotions/retirement etc.,

Sl. No.	Sl. No. in the Seniority List	Remarks
1	1 to 22	Retired from Service
2	23	Promoted as Deputy Commissioner (D.C)
3	24	Promoted as Assistant Commissioner (A.C)
4	25	Promoted as D.C
5	26	Retired from Service
6	27	Promoted as D.C
7	28,29	Retired from Service
8	30	Promoted as D.C
9	31 to 38	Promoted as A.C
10	39	Promoted as A.C
11	40	Promoted as D.C
12	41	Retired from Service
13	42, 43	Promoted as A.C
14	44,45	Retired from Service
15	46-48	Promoted as A.C
16	49	Promoted as A.C
17	50 to 56	Retired from Service

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5. I submit that, my name is not included in the Seniority list even though I was appointed in the same proceedings on par with the candidate who is at Sl. No. 56 namely Radha Krishna vide proceedings of the 2nd respondent in Rc No. D1/22081/2011-1 dated 15.10.2011 as the seniority list was taken only till 2011, as such my name also has to be included in the Seniority list but the same was not done as such I have submitted representation dated 16.08.2023 to include my name in the seniority list name to the 1st and 2nd respondents but as on today no action is taken because my name is not included in provisional seniority list I could not submit objections.

6. I submit that, basing on the provisional seniority list of E.O. Gr – I & Gr-II issued by the 2nd respondent in Memo in Rc. No. E2/2825310/2019 dated 28.11.2022 I have submitted representations on 16.08.2023 & 16.02.2024 seeking general promotion to the post of Assistant Commissioner, Endowments Department as per seniority to me, as the same is not considered I have filed WP No. 5058/2024 and the same is pending. While the matter stood thus the promotions were granted on 13.03.2024 to the 3rd and 4th respondents from E.O.'s Gr-I post to Assistant Commissioner, Endowments Department as per Rule 10A of AP state & subordinate Rules, 1996 on Adhoc basis only to bypass my claim in said W.P.

7. I further submit that, earlier when the original system of seniority list was altered vide proceedings dated 26.11.2022 and new system was followed, this Hon'ble court has granted interim orders in WP No. 41208/2022 dated 21.12.2022 on the said list

in the WP filed by same E.O. Gr-II officers. While the matter stood thus under the guise of Adhoc promotions to circumvent the above orders the respondents 3 & 4 were granted promotions as Assistant commissioners, Endowments Department following Rule 10A of AP Subordinate Service Rules, 1996.

8. I submit that, thereafter respondent No.3 is posted as Assistant Commissioner cum E.O. of Sri Valli Devasena Sameta Sri Subrahmanyeswara Swamy Temple, Mudinepally Mandal, Singarayapalem and respondent No.4 is posted as E.O. of Sri Vigneswara Swamyvari Devashanam, Ainavalli, Dr BR Ambedkar Konaseema District respectively by the 2nd respondent, who are juniors to me from the date of initial appointment itself as such prejudice is caused to me.

9. I submit that, the following are the details of Gr-II & I promotions of said R.G.Sridevi, M.Satyanarayana Raju & myself

Grade	Ch.Suresh Naidu	R.G. Sridevi	M.Satyanarayana Raju
E.O. Gr-III	01.04.2005	15.03.2006	30.06.2006
E.O. Gr-II	31.12.2007	25.07.2008	27.12.2008
E.O. Gr-I	15.10.2011	20.12.2013	21.06.2017

10. I submit that, as per the provisional seniority list dated 28.11.2022, I stand at Sl. No. 62 and the said R.G.Sridevi stand at Sl. No. 74 and M.Satyanarayana Raju stands at Sl. No. 77. Even though they are all juniors to me promotions were granted as Assistant Commissioners on Adhoc basis instead of finalizing the seniority and granting regular promotions, I have immediately

submitted representation to the 2nd respondent vide E. No. 8662978 dated 14.03.2024, requesting to grant promotion to me.

11. I submit that, I stand at Sl. No. 1 in the eligible candidates' seniority in the cadre of E.O. Gr-I. As others in the seniority from 1 to 61 all got retired or ineligible or promoted, but my case is not considered for the best reasons known to them for regular promotion or for adhoc promotion, earlier also I have submitted representation on 16.02.2024 & 16.08.2023 and same are also pending as on today but without considering my case my juniors are promoted in adhoc basis causing prejudice to me. Even when the provisional seniority list dated 28.11.2022 is stayed the promotions are given as per their whims and fancies without following the seniority under the guise of Rule 10A.
12. I submit that, even one Machiraju Lakshminarayana has filed WP No. 7584/2024 against the 4th respondent herein and this Hon'ble Court has granted interim orders dated 27.03.2024 suspending the adhoc promotion orders dated 13.03.2024. I also stand in the similar footing.
13. I submit that, as per the above 13.03.2024 orders of adhoc promotions, it is crystal clear that I am above two persons in the seniority, but injustice is caused to me in granting promotion as Assistant commissioner, Endowment Department. Hence the present writ petition is filed.
14. I submit that, aggrieved by the action of the respondent authorities in promoting respondents no.3 and 4 to the post of Assistant Commissioner, Endowments Department vide

proceedings dated 13.03.2024 though they are Juniors to me, I have filed W.P No. 11623 of 2024 and this Hon'ble court has granted interim order on 10.05.2024 directing the respondent authorities to consider my representation dated 14.03.2024.

15. I submit that, as the orders dated 10.05.2024 are not complied I was constrained to file C.C No. 4321 of 2024 before this Hon'ble court and pending the above contempt case, the 2nd respondent without proper application of mind has passed the impugned proceedings dated 19.02.2025 and not considered my claim of the petitioner for promotion to the post of Assistant Commissioner, Endowments Department.
16. I submit that, the reasons assigned in the impugned proceedings are that the respondents no. 3 and 4 were given adhoc promotions in view of administrative exigencies after obtaining permission from the 1st respondent vide Memo dated 07.02.2024. Further they were given ad hoc promotions (on temporary basis) in view of rule 10(a) of State and Subordinate Service Rules, 1996. The recent provision i.e. Rule 10A is extracted for kind perusal.

"(10) TEMPORARY APPOINTMENT INCLUDING APPOINTMENTS BY DIRECT RECRUITMENT, RECRUITMENT / APPOINTMENT BY TRANSFER OR BY PROMOTION:

(a) Where it is necessary in the public interest to fill emergency a vacancy in a post borne on the cadre of a service, class or category and if the filling of such vacancy in accordance with the rules is likely to result in undue delay the appointing authority

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may appointing a person temporarily, otherwise than in accordance with the said rules, either by direct recruitment or by promotion or by appointment by transfer, as may be specified as the method of appointment in respect of the post, in the special rules".

17. I submit that, on bare perusal of above provision it is crystal clear that even to give temporary promotion in case of emergency situation/administrative exigencies it has to be either by way of direct recruitment or promotion or appointment by transfer. Coming to the instant case, though I am senior to the respondents no.3 and 4 bypassing me they were given promotions in violation of the above rule. Further no reasons whatsoever were given by the 2nd respondent which caused the authority to promote the respondents no.3 and 4 bypassing me.
18. I submit that, the 2nd respondent under the guise of Rule 10(a) of State and Subordinate Service Rules, 1996 cannot adopt pick and choose method as the same will be discriminatory in nature and in violation of Article 14 of constitution of India. In the instant case the 2nd respondent has adopted a new method and thereby choose respondents no.3 and 4 as per his whims and fancies for promotion for the reasons best known to the authority.
19. I submit that, in view of the above facts and circumstances it is evident that the impugned proceedings of the 2nd respondent dated 19.02.2025 are issued in violation of law and it is liable to be set-aside in limine.

20. I submit that, unless my case is considered for the promotion to the post of Assistant Commissioner, Endowments Department and I am granted promotion, I will be put to irreparable loss and injury, as I am fully eligible, qualified and fit to hold the post Assistant Commissioner, Endowment Department by promotion.
21. It is submitted that the petitioner has no other alternative and efficacious remedy except to approach this Hon'ble Court under Article 226 of constitution of India.
22. It is submitted that the petitioner has not filed any suit, application or petitions before any court of law and i have not sought for any similar relief.

In the above mentioned circumstances, It is therefore prayed that this Hon'ble Court may be pleased to issue a writ order or direction more particularly, one in the nature of Writ of Mandamus, declaring the challenging the action of the 2nd respondent in issuing proceedings vide Rc.No.E2/15021/284/2024 dated 19.02.2025 in not considering the claim of the petitioner for promotion to the post of Assistant Commissioner, Endowments Department as bad, illegal, arbitrary, abuse of power, without application of mind, absurd and violative of Article 14, 16 and 21 of Constitution of India and violative of principles of natural justice and consequently setaside the same by directing the 2nd respondent to promote the petitioner to the post of Assistant Commissioner, Endowments Department from Executive Officer Grade-I from the date of his eligibility with all consequential monetary and service benefits

and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case in the interests of Justice.

Pending disposal of the Writ Petition, it is therefore prayed that this Hon'ble Court may be pleased to direct the 2nd respondent to reconsider the case of the petitioner for promotion to the post of Assistant Commissioner, Endowments Department without reference to the proceedings issued vide Rc.No.E2/15021/284/2024 dated 19.02.2025 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.

Solemnly affirmed and signed
on this the day of April, 2025
at Vijayawada.

Advocate : Vijayawada

DEPONENT

VERIFICATION

I, Ch. Suresh Naidu S/o Late Ch. Prabhakara Rao, Age 51 Years, Occ: Executive officer Grade- I in Sri Someswara Janardhana Swamy Temple, Gunpudi Village, Bhimavaram, R/o D. No. 12-3-2, Ayyavari Street, Gunpudi, Ward No. 16, Bhimavaram, West Godavari District, temporarily came down to Vijayawada do hereby declare that the contents in the above paragraphs are true and correct to the best of my knowledge and belief, hence verified on this the day of April, 2025 at Vijayawada.

Advocate

Deponent

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To,

The Hon'ble Commissioner,
Endowments Department,
Gollapudi, Vijayawada, NTR District

Respected Sir,

I, Ch. Suresh Naidu S/o. Late Ch. Prabhakara Rao, Age 50 Years, Occ: Executive Officer Grade -I Presently working at Sri Veereswara Swamy vari Devasthanam, Pattisam, Polavaram Mandal, Eluru District do hereby submit the following representation:

1. I submit that, I was initially appointed as Executive Officer Grade-III on 30.03.2005 on compassionate grounds, thereafter I was promoted to the post of Executive Officer Grade-II on 31.12.2007. Finally, I was promoted to the post of Executive Officer- Grade I vide proceedings of the 2nd respondent dated 15.10.2011 and I am working as such as on today, presently I am discharging my services as Executive Officer Grade -I of Sri Veereswara Swamy vari Devasthanam, Pattisam Village, Polavaram Mandal, Eluru District to the utmost satisfaction of my superior authorities and regular increments are being sanctioned to me.
2. I submit that, I stand at Sl. No. 1 in the eligible candidates' seniority in the cadre of E.O. Gr-I and fully qualified and eligible for getting promoted to the post of Assistant Commissioner, Endowments Department.
3. I submit that, as per the provisional seniority list dated 28.11.2022, I stand at Sl. No. 62 and the said R.G.Sridevi stand at Sl. No. 74 and M. Satyanarayana Raju stands at Sl.

No. 77. At this juncture it is pertinent to mention herein that even though they both are juniors to me promotions were granted as Assistant Commissioners on Adhoc basis as per Rule 10 (A) of Andhra Pradesh State and Subordinate Service Rules, 1996. However my case is not considered even as on today.

4. I submit that, as such I have filed W.P No. 10368. of 2025 seeking promotion to the post of Assistant Commissioner, Endowments Department. Thereafter the Hon'ble High Court was pleased to grant orders in the said W.P on 28.04.2025 (order copy is enclosed along with the present writ petition) and the operative order is extracted hereunder for your kind perusal:

"4. In view of the same, this Court is of prima facie opinion that when respondents 1 and 2 have extended the benefit of ad-hoc promotions to unofficial respondents 3 and 4, who are juniors to petitioner, petitioner is also entitled to be treated on par with them and in terms of Rule 10-A of the A.P. State and Subordinate Service Rules, 1996, he is entitled to be considered for promotion on ad-hoc basis.

5. Accordingly, the 2nd respondent is directed to consider the case of the petitioner for promotion as Assistant Commissioner on ad-hoc basis in terms of Rule 10-A of the A.P. State and Subordinate Service Rules, 1996, if otherwise, he is within the zone of consideration and eligible, within a period of six weeks from the date of receipt of a copy of this order."

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5. I submit that, I am fully qualified and eligible to hold the post of Assistant Commissioner, Endowments Department and I am within the zone of consideration for promotion and further at present there are several vacancies in the cadre of Assistant Commissioner, Endowments Department. It is also apposite to mention herein that I am senior to the persons whose cases earlier were considered for promotion to the post of Assistant Commissioner, Endowments Department and the said fact is also observed by the Hon'ble Court. Unless your kind authority considers my case and grant me promotion to the post of Assistant Commissioner, Endowments Department I will be put to irreparable loss and Injury. As per Rule 10-A of A.P State & Subordinate Service Rules, 1996.

Therefore in view of the orders of the Hon'ble High Court in W.P No. 10368/2025 dated 28.04.2025, I request your kind authority to consider my case and grant me promotion to the post of Assistant Commissioner, Endowments Department As per Rule 10-A of A.P State & Subordinate Service Rules, 1996 for which act of kindness I will be ever grateful.

Place: Vijayawada
Date: 01.05.2025

Yours Faithfully,

Ch. Suresh Naidu
(Ch. Suresh Naidu) 1-5-2025

Encls:

1. Copy of Web Orders in W.P No. 10368 of 2025

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(97)

KRISHNA DISTRICT
HIGH COURT OF JUDICATURE
OF ANDHRA PRADESH
AT AMARAVATI

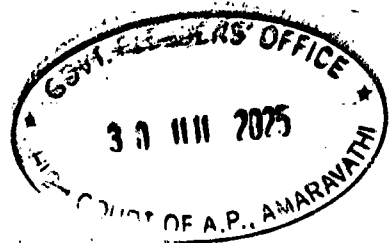
C.C.NO. OF 2025

AGAINST

WP No 10368 of 2025

Sr
Nagare Nagaraj
& for (Endow)

MEMORANDUM OF CONTEMPT
CASE



FILED ON: 30.07.2025

FILED BY:

D.V. SASIDHAR (10944)

M.V.S. NIKHIL KASHYAP

COUNSEL FOR PETITIONER

Wednesday, Jul 30, 2025 15:13:19 PM

APOLCMS

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Acknowledgement No.: