

IN THE HIGH COURT OF ANDHRA PRADESH :: AT AMARAVATI

C.C. No.

OF 2025

IN

W.P.No.24967 of 2022

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Date: 27.03.2024

Amaravati

  
Counsel for the Petitioner

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**MEMORANDUM OF CONTEMPT OF CASE**  
(UNDER SEC. 10 TO 12 OF CONTEMPT OF CASE OF COURTS ACT)  
**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

C.C. No.                      OF 2025

IN

W.P.No.24967 of 2022

**Between:**

1. B.Veera Babu, S/o. Late.B.Pulla Reddy,  
Aged about 51 years, Occ: Counter Clerk,  
R/o.Durga Agraharam, A.B. Homes, FF No.1,  
Vijayawada. Krishna District.
2. Ramalavalasa Raju, S/o. Ramalavalasa Rajulu,  
Aged about 38 years, Occ: Attender- Receptionist,  
R/o. Door No.45-18-21/2, Kummari Bazar, Nehru Statue Back Side,  
Gundala, Vijayawada (Urban), NTR District.
3. Chandrala Nageswara Rao, S/o. Tirupathi Rao,  
Aged about 39 years, Occ: Attender,  
R/o. Door No.3-59/1, Pedda Banda Bazar, Kanchikacherla Mandal,  
Gottumukkala, Krishna District. .... Petitioners.

AND

1. S.Satyanarayana  
The Commissioner of Endowments,  
Opp.S Grand Restaurant, One Center,  
Gollapudi, Vijayawada.
3. G.Ramachandra Mohan  
The Commissioner Sri Durga Malleswara Swamy  
Varla Devasthanam, Indrakeeladri.
4. G.Ramachandra Mohan  
The Executive Officer, Sri Durga Malleswara Swamy  
Varla Devasthanam, Indrakeeladri, Vijayawada. ...Respondents.

The address for service on the above named Petitioners is that of their counsels **M/s.V.R.Reddy Kovvuri (3472), B.Abhay Siddhanth, and, D.Dorababu, R.Arun Kumar, and D.Vigneshwar Reddy Advocates,** Office at Ground Floor, KRISH RIVIERA, 2<sup>nd</sup> Land, Raja Rajeswari Nagar, Opp: C.S.R. KalayanaMandapam, Tadepalli, Guntur District.Cell:9440218830.

For the reasons stated in accompanying affidavit this Hon'ble Court may be pleased to punish the respondents herein under the provisions of Sections 10 to 12 of the Contempt of Courts Act, 1971 for their willful, deliberate and intentional violation of the orders of this Hon'ble Court, dated 01.12.2022 made in W.P.No.24967 of 2022 and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

Date: 27.01.2025

Amaravati

  
Counsel for Petitioner

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

C.C.No. of 2024

**Between:**

1. B.Veera Babu, S/o. Late.B.Pullu Reddy,  
Aged about 51 years, Occ: Counter Clerk,  
R/o.Durga Agraharam, A.B. Homes, FF No.1,  
Vijayawada. Krishna District.
2. Ramalavalasa Raju, S/o. Ramalavalasa Rajulu,  
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R/o. Door No.45-18-21/2, Kummari Bazar, Nehru Statue Back Side,  
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3. Chandrala Nageswara Rao, S/o. Tirupathi Rao,  
Aged about 39 years, Occ: Attender,  
R/o. Door No.3-59/1, Pedda Banda Bazar, Kanchikacherla Mandal,  
Gottumukkala, Krishna District. .... Petitioners.

AND

1. S.Satyanarayana  
The Commissioner of Endowments,  
Opp.S Grand Restaurant, One Center,  
Gollapudi, Vijayawada.
3. G.Ramachandra Mohan  
The Commissioner Sri Durga Malleswara Swamy  
Varla Devasthanam, Indrakeeladri.
4. G.Ramachandra Mohan  
The Executive Officer, Sri Durga Malleswara Swamy  
Varla Devasthanam, Indrakeeladri, Vijayawada. ...Respondents.

**AFFIDAVIT OF B.VEERA BABU**

I, B.Veera Babu, S/o. Late.B.Pullu Reddy, aged about 53 years, Occ:  
Counter Clerk, residing at Durga Agraharam, A.V. Homes, FF No.1, Vijayawada,  
Krishna District, do hereby solemnly affirm and state as follows:

**ATTESTOR**

*B.Veera Babu*  
**DEPONENT**

1. I am the petitioner No.1 herein and as such well acquainted with the facts of the case. I am filing this affidavit on behalf of the petitioners No.2 and 3 also looking after their interest and I am authorised do so.
2. I submit that the present Contempt Case filed complaining about the willful, deliberate and intentional violation of the orders of this Hon'ble Court, dated 01.12.2022 by the respondents made in W.P.No.24967 of 2022 and seeking to punish the respondent under the provisions of the Contempt of Courts Act, 1971.
3. I submit that, we are appointed on NMR basis in the respondent No.4 temple in the year, 1994, 2002 and 2008 respectively and since then, we are discharging our duties with utmost sincerity as Counter Clerks, Attender-Receptionist and Attender and to the best of our abilities without any complaints whatsoever.
4. I submit that, thereafter, when certain NMR employees including ourselves made a representation to the Government for extending the benefit of 'equal pay for equal work' as we are rendering services similar to that of the regular employees, the Government after due consideration had extended the benefit of 'equal pay for equal work' to that off Last Grade Pay. Further, in total there are 29 sanction posts in the respondent No.3 temple in the regular cadre of attenders and presently there are 13 employees working against the sanctioned posts.

**ATTESTOR**

*B. Venkatesh*  
**DEPONENT**

5. I submit that, as we are discharging duties similar to that of regular employees and as there are existing vacancies available, we have submitted several representations to the respondents herein to consider our candidature for regularization as against the available vacancies. Whereas, the respondents who are under an obligation to regularize our services having extracted our services for so long, have not considered our request for regularization. It is necessary to point out here that, many other employees who are both juniors as well as seniors to us have approached this Hon'ble Court for regularization of their services and basing on the orders passed by this Hon'ble Court the respondents are regularizing the services of those employees. Further, this Hon'ble Court when other such employees had approached this Hon'ble Court, this Hon'ble Court in W.P.No.14103 of 2020 vide its Order, dated 25.07.2022 was pleased to direct the respondent No.3 herein consider the candidature of the petitioners therein, if they are eligible in terms of Memo, dated 02.02.2022 issued by the Principal Secretary to Government and proceedings dated 21.06.2022 issued by the Commissioner with along similarly situated persons as has been referred therein.

6. I submit that, as already stated supra, the respondents are regularizing the services of the individuals who have approached this Hon'ble Court and are regularizing the services of the employees as per pick and

**ATTESTOR**

*B. Venkatesh*  
**DEPONENT**

choose basis. Further, as per proceedings, dated 03.10.2019 we have been discharging our duties on par with regular employees and hence the inaction on part of the respondents in not regularizing our services is highly illegal and arbitrary. Under those circumstances, we were constrained to file Writ Petition in W.P.No.24967 of 2022 on the file of this Hon'ble Court seeking to declare the inaction on part of the respondents in regularizing our services in the available vacancies in the Sri Durga Malleswara Swamy Varla Devasthanam, eventhough, we are entitled for the same and regularizing the services of others similar employees on pick and choose basis as arbitrary and illegal.

7. Whereas, when the said Writ Petition was listed for admission on 01.12.2022 this Hon'ble Court was pleased to pass interim Orders directing *'the respondents to consider the case of the Writ Petitioners in this Writ Petition along with the Writ Petitioners in W.P.No.14103 of 2020 and take steps by considering the actual seniority of each of the Writ Petitioners in both the Writ Petitions i.e., W.P.Nos.14103 of 2020 and 24967 of 2022'*
8. I submit that, a mere perusal of the Orders, dated 01.12.2022 this Hon'ble Court has given specific directions to the respondents to consider our candidature alongwith the Writ Petitioners in W.P.No.14103 of 2020 by taking into consideration the actual seniority.

Pursuant to the orders of this Hon'ble Court, the respondent No.4 herein

**ATTESTOR**

*R. V. Subbar*  
**DEPONENT**

issued the proceedings in Rc.No.A1/353/2023, dated 23.03.2023 stating that earlier persons who were juniors to us were regularized only to comply with the Orders, 19.03.2019 of this Hon'ble Court in W.P.No.18568 of 2015 and hence we are not similarly placed to that of the petitioners in W.P.No.18568 of 2015 our candidature cannot be considered. A copy of the Proceedings, dated 23.03.2023 is filed herewith marked as P.1. It is necessary to point out here that, this Hon'ble Court has not directed the respondents to consider our representations and pass orders, but has specifically directed the respondents to consider our candidature on par with the petitioners in W.P.No.14103 of 2020 and in the event their services are regularized, our candidature also has to be considered by taking into account the actual seniority. Whereas, the proceedings, dated 23.03.2023 is of no consequence, which is not at all in consonance with the orders of this Hon'ble Court, dated 01.12.2022.

9. I submit that, a mere perusal of the list of NMR workers working in the subject temple as on 03.10.2019, it would be crystal clear that the petitioner No.1 is the 4<sup>th</sup> senior most person in the said list. Whereas, the services of one of the petitioners in W.P.No.14103 of 2020 i.e., P.Srinivasulu who is the petitioner No.4 therein, who joined services on 01.01.2007 much later me and the petitioner No.2, have services have been regularized vide the Memo in Rc.No.A1/COE-

**ATTESTOR**

*B. Venkatesh*  
**DEPONENT**



11026(43)/40/2024, dated 15.01.2025. A copy of the Memo, dated 15.01.2025 is filed herewith marked as P.2. It is necessary to point out here that, the specific direction of this Hon'ble Court was that in the event the candidature of any of the petitioners in W.P.No.14103 of 2020 is being considered for regularization, our candidature also has to be considered, taking into consideration our seniority. Whereas, only the candidature of P.Srinivasulu who is much more junior to me and petitioner No.2 has been considered, solely because he had filed a contempt on file of this Hon'ble Court. Further, a mere perusal of the Proceedings, dated 23.03.2023 it would be crystal clear that the respondents are only regularizing the services of those candidates who have preferred contempt cases before this Hon'ble Court and in that process the services of three juniors of petitioner No.1 i.e., A.K.D.Siva Kumar, V.Praneeth Babu and M.Jaya Prakash have been regularized in pick and choose basis.

10. Therefore, the action of the respondents in regularizing the services of P.Srinivasulu overlooking the candidature of myself and the petitioner No.2, even though we are seniors to them is nothing but deliberate and intentional violation of the Orders, dated 01.12.2022 in W.P.No.24967 of 2022. Hence, the respondents herein are liable to be punished under the provisions of the Contempt of Courts Act, 1971 for their willful,

**ATTESTOR**

*B. Venkatesh*  
**DEPONENT**

deliberate and intentional violation of the orders of this Hon'ble Court, dated 01.12.2022 in W.P.No.24967 of 2022.

11. It is, therefore, prayed that this Hon'ble Court may be pleased to punish the respondents herein under the provisions of Sections 10 to 12 of the Contempt of Courts Act, 1971 for their willful, deliberate and intentional violation of the orders of this Hon'ble Court, dated 01.12.2022 made in W.P.No.24967 of 2022 and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

*B. Venkatesh*

8<sup>th</sup> & last page Corrs:

Deponent

Solemnly affirm and signed on this  
the 27<sup>th</sup> day of January, 2025  
at Amaravati.

Before me

ADVOCATE::AMARAVATI

**VERIFICATION STATEMENT**

I, B.Veera Babu, S/o. Late.B.Pulla Reddy, aged about 53 years, Occ: Counter Clerk, residing at Durga Agraharam, A.V. Homes, FF No.1, Vijayawada, Krishna District, being the petitioner/person acquainted with the facts, do hereby verify and state that the contents of paras 1 to 8 of the affidavit filed in support of the Writ Petition are true to my personal knowledge, based on information and record and believed to be correct and those of paras 9 and 10 are based on legal advice.

Hence, verified on this the 27<sup>th</sup> day of January, 2025 at Amaravati.

*B. Venkatesh*  
COUNSEL FOR PETITIONER

ATTESTOR

*B. Venkatesh*  
DEPONENT

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE FIRST DAY OF DECEMBER

TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 24967 OF 2022

Between:

1. B.Veera Babu,, S/o. Late.B.Pulla Reddy, Aged about 51 years, Occ Counter Clerk, R/o.Durga Agraharam, A.B. Homes, FF No.1, Vijayawada. Krishna District.
2. Ramalavalasa Raju,, S/o. Ramalavalasa Rajulu, Aged about 38 years, Occ Attender- Receptionist, R/o. Door No.45-18-21/2, Kummari Bazar, Nehru Statue Back Side, Gundala, Vijayawada (Urban), NTR District.
3. Chandrala Nageswara Rao,, S/o. Tirupathi Rao, Aged about 39 years, Occ Attender, R/o. Door No 3-59/1, Pedda Banda Bazar, Kanchikacherla Mandal, Gottumukkala, Krishna District.

Petitioners

AND

1. The State of Andhra Pradesh,, Rep.by its Principal Secretary, Endowment Department, Secretariat Buildings, Velagapudi, Amravathi.
2. The Commissioner of Endowments,, Opp.S Grand Restaurant, One Center, Gollapudi, Vijayawada.
3. Sri Durga Malleswara Swamy Varla Devasthanam,, Indrakeeladri rep., by its Commissioner.
4. The Executive Officer,, Sri Durga Malleswara Swamy Varla Devasthanam, Indrakeeladri, Vijayawada.

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 an appropriate writ or direction more particularly in the nature of Writ of Mandamus declaring inaction on part of the respondents in regularizing Petitioners' services in the available vacancies in the respondent No 4 temple, even though, Petitioners are entitled for the same and regularizing the services of others similar employees on pick and choose basis as arbitrary, illegal, colorable exercise of power and contrary to the principles laid down in Uma Devi Vs. State of Karnataka reported in

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... and violative of the fundamental rights guaranteed to us under the Articles 14, 19 and 21 of the Constitution of India and consequently direct the respondents to regularize Petitioners' services against the available vacancies in the respondent No.3 Temple on par with other similarly situated employees .

**IA NO: 1 OF 2022**

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 to direct the respondents to consider our candidature for regularization against the available vacancies in the respondent No.3 Temple, on par with other similarly situated employees ,Pending disposal of WP 24967 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri V R REDDY KOVVURI Advocate for the Petitioners and of GP FOR ENDOWMENTS for the Respondent No.1, Sri K MADHAV REDDY, Standing Counsel for Respondent Nos.2 & 3, the Court made the following.

**ORDER**

"Heard Sri V.R. Reddy Kovvuri, learned Counsel for the Writ Petitioners and Smt. Rajani Reddy, learned Government Pleader for Endowments.

2. Learned Counsel for the Writ Petitioners has drawn the attention of this Court to the Order passed by the Learned Single Judge dated 25.07.2022 in W.P.No.14103 of 2020. The relevant portion is extracted hereunder:

*"7. Considering the submissions of learned counsel, this Court inclined to dispose of the writ petition, while directing the 3rd respondent to consider the case of the petitioners, if they are eligible in terms of Memo dated 02.02.2022 issued by the Principal Secretary to Government and proceedings dated 21.06.2022 issued by the Commissioner along with similar situated persons as referred therein and pass appropriate orders in accordance with law, within a period of six (06) weeks from the date of receipt of a copy of this order.*

*8. With the above direction, the Writ Petition is disposed of accordingly, without touching the merits of the case with the consent of both the learned counsel. No costs.*

*As a sequel, miscellaneous applications pending, if any, shall also stand closed".*

3. Learned Counsel for the Writ Petitioners submits that the present Writ Petitioners also belong to the same Department. Over and above this fact, the Writ Petitioners are in fact Seniors to that of the Writ Petitioners in W.P.No.14103 of 2020, and therefore, if the Order dated 25.07.2022 passed by the Learned Single Judge in W.P.No.14103 of 2020 is to be given effect to without taking into account the case of the Writ Petitioners herein, the effect would be that the Writ Petitioners in W.P.No.14103 of 2020 who are Juniors to the present Writ Petitioners would be regularized and they would get seniority over and above the present Writ Petitioners in the event the present Writ Petitioners would succeed.

4. Learned Counsel for the Writ Petitioners, on query of this Court could not point out any circumstance or any Order of this Court staying/ suspending the Order dated 25.07.2022.

5. Learned Counsel for the Respondents submitted that in view of the fact that there is no stay on the Order dated 25.07.2022, the Official Respondents are taking steps to regularize the services of the Writ Petitioners in W.P.No.14103 of 2020 and further submitted that a Writ Appeal (filed against the Order dated 25.07.2022 in W.P.No.14103 of 2020) is pending and hearings are in progress.

6. This Court is of the view that in the event that the Writ Petitioners in W.P.No.14103 of 2020 are regularized even before the present Writ Petitioners are concerned, the Writ Petitioners would suffer injustice.

7. In this view of the matter, there shall be a direction to the Respondent No.3 to consider the case of the Writ Petitioners in this Writ Petition along with the Writ Petitioners in W.P.No.14103 of 2020 and take steps by considering the actual seniority of each of the Writ Petitioners in both the Writ Petitions i.e., W.P.Nos.14103 of 2020 and 24967 of 2022.

7. Let Counter Affidavit be filed within three weeks. One week thereafter for filing Re-joinder, if any.

8. List the matter on 04.01.2023."

//TRUE COPY//

SD/- M.PRABHAKARA RAO  
ASSISTANT REGISTRAR  
For ASSISTANT REGISTRAR

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To,

1. The Principal Secretary, Endowment Department, Secretariat Buildings, Velagapudi, Amravathi.
2. The Commissioner of Endowments,, Opp.S Grand Restaurant, One Center, Gollapudi, Vijayawada.
3. Sri Durga Malleswara Swamy Varla Devasthanam,, Indrakeeladri rep., by its Commissioner.
4. The Executive Officer,, Sri Durga Malleswara Swamy Varla Devasthanam, Indrakeeladri, Vijayawada. (Addressess 1 to 4 by RPAD)
5. One CC to SRI. V R REDDY KOVVURI Advocate [OPUC]
6. Two CCs to GP FOR ENDOWMENTS ,High Court Of Andhra Pradesh. [OUT]
7. One CC to SRI. K MADHAV REDDY Advocate [OPUC]
8. One spare copy.

psk

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HIGH COURT

GRKPJ

DATED:01/12/2022

LIST THE MATTER ON 04.01.2023

ORDER

WP.No.24967 of 2022

DIRECTION



MEMORANDUM OF WRIT PETITION  
(SPECIAL ORIGINAL JURISDICTION)  
(UNDER ART. 226 OF THE CONSTITUTION OF INDIA)  
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P.No. 24967 of 2022

Between:

1. B.Veera Babu, S/o. Late.B.Pullu Reddy,  
Aged about 51 years, Occ: Counter Clerk,  
R/o.Durga Agraharam, A.B. Homes, FF No.1,  
Vijayawada. Krishna District.
2. Ramalavalasa Raju, S/o. Ramalavalasa Rajulu,  
Aged about 38 years, Occ: Attender- Receptionist,  
R/o. Door No.45-18-21/2, Kummari Bazar, Nehru Statue Back Side,  
Gundala, Vijayawada (Urban), NTR District.
3. Chandrala Nageswara Rao, S/o. Tirupathi Rao,  
Aged about 39 years, Occ: Attender,  
R/o. Door No.3-59/1, Pedda Banda Bazar,  
Kanchikacherla Mandal, Gottumukkala, Krishna District. ...Petitioners.

AND

1. The State of Andhra Pradesh, rep.by its Principal Secretary,  
Endowment Department, Secretariat Buildings,  
Velagapudi, Amravathi.
2. The Commissioner of Endowments,  
Opp.S Grand Restaurant, One Center,  
Gollapudi, Vijayawada.
3. Sri Durga Malleswara Swamy  
Varla Devasthanam, Indrakeeladri rep., by its Commissioner.
4. The Executive Officer, Sri Durga Malleswara Swamy  
Varla Devasthanam, Indrakeeladri, Vijayawada. ...Respondents

The address for service on the above named Petitioners is that of their counsels M/s.V.R.Reddy Kovvuri (3472). B.Abhay Siddhanth and Ravi Teja Talaseela Advocates, Office at Ground Floor, KRISH RIVIERA, 2<sup>nd</sup> Land, Raja Rajeswari Nagar, Opp: C.S.R Kalayana Mandapam, Tadepalli, Guntur District.Cell:9440218830.

For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon'ble Court may be pleased to issue an appropriate writ or direction more particularly in the nature of Writ of Mandamus declaring inaction on part of the respondents in regularizing our services in the available vacancies



in the respondent No.4 temple, even though, we are entitled for the same and regularizing the services of others similar employees on pick and choose basis as arbitrary, illegal, colorable exercise of power and contrary to the principles laid down in Uma Devi Vs. State of Karnataka reported in ... and violative of the fundamental rights guaranteed to us under the Articles 14, 19 and 21 of the Constitution of India and consequently direct the respondents to regularize our services against the available vacancies in the respondent No.3 Temple on par with other similarly situated employees and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

Amaravathi  
Date: 02.08.2022

  
Counsel for Petitioner

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KRISHNA :: DISTRICT

IN THE HIGH COURT OF  
ANDHRA PRADESH  
AT AMARAVATHI

W.P.No. 24967 of 2022

**WRIT PETITION**

Filed on: 30.07.2022

Filed by:

M/s.V.R.REDDY KOVVURI (3472)  
B.ABHAY SIDDHANTH  
RAVI TEJA TALASEELA  
ADVOCATES

COUNSELS FOR PETITIONER

## IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P.No. 24967 of 2022

LIST OF EVENTSANNEXURE - I

S. No	Date	Description of the Events	Para No.	Page No.
1.		The petitioner submit that, we are appointed on NMR basis in the respondent No.4 temple in the year, 1994, 2002 and 2008 respectively and since then, we are discharging our duties with utmost sincerity as Counter Clerks, Attender-Receptionist and Attender and to the best of our abilities without any complaints whatsoever.	3	
2.		The petitioner submit that, thereafter, when certain NMR employees including ourselves made a representation to the Government for extending the benefit of 'equal pay for equal work' as we are rendering services similar to that of the regular employees, the Government after due consideration had extended the benefit of 'equal pay for equal work' to that off Last Grade Pay.	4	
3.		The petitioner submit that, as we are discharging duties similar to that of regular employees and as there are existing vacancies available, we have submitted several representations to the respondents herein to consider our candidature for regularization as against the available vacancies. Whereas, the respondents who are under an obligation to regularize our services having extracted our services for so long, have not considered our request for regularization. It is necessary to point out here that, many other employees who are both junior as well as senior to us have approached this Hon'ble Court for regularization of their services and basing on the orders passed by this Hon'ble Court the respondents are regularizing the services of those employees.	5.	

ANNEXURE-II

	Under Article 226 of Constitution of India.		
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Amaravathi  
Date: 02.08.2022

  
Counsel for Petitioner

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IN THE HIGH COURT OF ANDHRA PRADESH AT :: AMARAVATHI

W.P.No. 24967 of 2022

Between:

1. B.Veera Babu, S/o. Late.B.Pullu Reddy,  
Aged about 51 years, Occ: Counter Clerk,  
R/o.Durga Agraharam, A.B. Homes, FF No.1,  
Vijayawada. Krishna District.
2. Ramalavalasa Raju, S/o. Ramalavalasa Rajulu,  
Aged about 38 years, Occ: Attender- Receptionist,  
R/o. Door No.45-18-21/2, Kummari Bazar, Nehru Statue Back Side,  
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Aged about 39 years, Occ: Attender,  
R/o. Door No.3-59/1, Pedda Banda Bazar, Kanchikacherla Mandal,  
Gottumukkala, Krishna District. .... Petitioners.

AND

1. The State of Andhra Pradesh, rep.by its Principal Secretary,  
Endowment Department, Secretariat Buildings,  
Velagapudi, Amravathi.
2. The Commissioner of Endowments,  
Opp.S Grand Restaurant, One Center,  
Gollapudi, Vijayawada.
3. Sri Durga Malleswara Swamy  
Varla Devasthanam, Indrakeeladri rep., by its Commissioner.
4. The Executive Officer, Sri Durga Malleswara Swamy  
Varla Devasthanam, Indrakeeladri, Vijayawada, ...Respondents.

**AFFIDAVIT OF B.VEERA BABU**

I, B.Veera Babu, S/o. Late.B.Pullu Reddy, aged about 51 years, Occ:  
Counter Clerk, residing at Durga Agraharam, A.V. Homes, FF No.1, Vijayawada,  
Krishna District, do hereby solemnly affirm and state as follows:

1. I am the petitioner No.1 herein and as such well acquainted with the facts of  
the case. I am filing this affidavit on behalf of the petitioner No.2 and 3 also  
looking after their interest and I am authorised do so.

1<sup>st</sup> Page Corrs:

Attester.

B.Veera Babu.  
Deponent

2. I submit that, the present Writ Petition is filed aggrieved by the inaction on the part of the respondents in regularizing our services in the available vacancies in the respondent No.4 Temple, eventhough, we are entitled for regularisation of our services and regularizing the services of other similar situated employees on pick and chose basis as arbitrary, illegal, colorable exercise of power and contrary to the principles laid down in Uma Devi Vs. State of Karnataka reported in (2006) 4 SCC 1 and violative of the fundamental rights guaranteed to us under the Articles 14, 19 and 21 of the Constitution of India, for the facts and circumstances stated hereunder.

3. I submit that, we are appointed on NMR basis in the respondent No.4 temple in the year, 1994, 2002 and 2008 respectively and since then, we are discharging our duties with utmost sincerity as Counter Clerks, Attender-Receptionist and Attender and to the best of our abilities without any complaints whatsoever.

4. I submit that, thereafter, when certain NMR employees including ourselves made a representation to the Government for extending the benefit of 'equal pay for equal work' as we are rendering services similar to that of the regular employees, the Government after due consideration had extended the benefit of 'equal pay for equal work' to that off Last Grade Pay. Evidencing the same, the proceedings, dated 03.10.2019 is filed herewith marked as P.1. Further, in total there are 29 sanction posts in the respondent No.3 temple in the regular cadre of attenders and presently there are 13 employees working against the sanctioned posts. Evidencing the same, a copy of the proceeding dated 24.02.2022 is filed herewith marked as P.2.

6. I submit that, as already stated *supra*, the respondents are regularizing the services of the individuals who have approached this Hon'ble Court and are regularizing the services of the employees as per pick and choose basis. Further, as per Proceedings, dated 03.10.2019 we have been discharging our duties on par

with regular employees and hence the inaction on part of the respondents in not regularizing our services is highly illegal and arbitrary. Therefore, we are constrained to invoke the extraordinary jurisdiction of this Hon'ble Court under Article 226 of the Constitution of India, for redressal of our grievance.

7. I submit that under the circumstances, we have no other effective, alternative remedy than to invoke the extraordinary jurisdiction of this Hon'ble Court under Article 226 of the Constitution of India. We have not filed any other Writ Petition or initiated any other proceedings before any Court or Authority for the relief sought for in this Writ Petition.

8. It is therefore prayed that this Hon'ble Court may be pleased to issue an appropriate writ or direction more particularly in the nature of Writ of Mandamus declaring inaction on part of the respondents in regularizing our services in the available vacancies in the respondent No.4 temple, eventhough, we are entitled for the same and regularizing the services of others similar employees on pick and choose basis as arbitrary, illegal, colorable exercise of power and contrary to the principles laid down in Uma Devi Vs. State of Karnataka reported in ... and violative of the fundamental rights guaranteed to us under the Articles 14, 19 and 21 of the Constitution of India and consequently direct the respondents to regularize our services against the available vacancies in the respondent No.3 Temple on par with other similarly situated employees and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

9. It is also necessary in the interest of justice that this Hon'ble Court may be pleased to direct the respondents to consider our candidature for regularization

against the available vacancies in the respondent No.3 Temple, on par with other similarly situated employees pending disposal of the Writ Petition and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

5<sup>th</sup> and last page

B. Murugababu.  
Deponent

Solemnly affirm and signed on this  
the 1<sup>st</sup> day of August, 2022  
at AMARAVATI.

Before me

ADVOCATE :: AMARAVATI

**VERIFICATION STATEMENT**

I, B.Veera Babu, S/o. Late.B.Pella Reddy, aged about 51 years, Occ: Counter Clerk, residing at Durga Agraharam, A.V. Homes, FF No.1, Vijayawada, Krishna District, being the petitioner person acquainted with the facts, do hereby verify and state that the contents of paras 1 to 7 of the affidavit filed in support of the Writ Petition are true to my personal knowledge, based on information and record and believed to be correct and those of paras 8 and 9 are based on legal advice.

Hence, verified on this 1<sup>st</sup> day of August, 2022, at AMARAVATI

  
Counsel for Petitioner

B. Murugababu  
Deponent



**SRI DURGA MALLESWARA SWAMY VARLA DEVASTHANAM**  
**INDRAKEELADRI, VIJAYAWADA - 520 001.**  
 Reception : 0866 - 2423600 mail ID : endow-eosdmsd@gov.in  
 Specially : 2423800 Toll Free No : 18004259099

Sri M.V.Suresh Babu., B.Com., B.L

Executive Officer

To,  
 The Commissioner,  
 Endowments Department,  
 AP, Gollapudi, Vijayawada.

Date :

Rc No.A1/1655/2015 DL03-J0-2019

Sub: Sri Durga Malleswara Swamy Varla Devasthanam, Indrakeeladri,  
 Vijayawada - Establishment section - Extension of minimum pay to NMRs  
 working in Devasthanam - Permission - Requesting - Regarding.

- Ref: 1. Govt Memo No: 38021/32/Endowments-I(2)/2018-1 dt: 04.07.2018.  
 2. Proc. in Rc No: A1/1059511/2018, dt: 20.07.2018 of Commissioner  
 Endowment Department  
 3. Govt Memo No: 38021/32/Endowments-I(2)/2018-1 dt: 05.12.2018.  
 4. Rc.No.COE-11028/84/2018-A-SEC-ENDOWMENTS, dt.12.12.2018  
 of the Commissioner, Endowments Dept., A.P., Vijayawada.

...

It is to submit that there are 59 NMRs working in this Devasthanam and their services have been utilising in various places. The Commissioner, Endowments Department has fixed their remuneration in Rc No.A1/47262/2012 Dt.07-01-2013 and later their remuneration has been enhanced by Rs.100/- per day as per the note orders of the then Executive Officer by virtue of powers conferred on her in G.O.Ms.No.815, Revenue (Endts.I) Dept., dt.01-08-2016.

Recently, as per the orders of the Government in the reference 1<sup>st</sup> cited and subsequent orders of the Commissioner, Endowments Department vide reference 2<sup>nd</sup> cited, devasthanam has extended minimum basic pay of Last Grade Service i.e. Rs.13,000/- per month to the NMRs working in this devasthanam w.e.f 01.08.2018.

Later certain NMRs have represented the Government through the Commissioner, Endowments Department for payment of minimum pay attached to the duties they are rendering as per the Supreme Court observation of "equal pay for equal work". The Government vide reference 3<sup>rd</sup> cited was pleased to pass orders for extending the minimum time scale of pay to the NMRs/contract employees working in higher cadres other than last grade service in Endowment Institutions subject to certain conditions such as

- i) The NMRs are performing duties assigning to regular employees of similar cadre

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ii) The NIARs possess the requisite qualifications for the respective posts as claimed in the temple

iii) Whether permission orders from the competent authority to engage the services of such employees.

As per the instructions of the Government and subsequent orders of the Commissioner of Endowments received in the references 3<sup>rd</sup> and 4<sup>th</sup> cited, the NIARs working in the Devasthanam are sanctioned minimum pay of Junior Assistant to all Degree and Intermediate qualified persons (as per G.O.Ms.No.888, minimum qualification for Junior Assistant is Intermediate only) and Record Assistant Pay to 10<sup>th</sup> class passed persons and Last Grade Pay i.e. Rs.13000/- were given to persons who are possessing below 10<sup>th</sup> class.

The details of NIARs working in this Devasthanam with duties assigned to them and pay fixed now according to their qualifications are mentioned hereunder:

Sl. No.	Name of the Employee	Present Working	Date of Joining	Qualification	Pay fixed w.e.f. 1.8.2019 Rs.
1	E.Lakshmana Rao	Painter	08.9.1999	9th Class	13000/-
2	Kare.Ramesh	Counter	17.8.1994	B.A.	16400/-
3	G.Eswara Prasad	Reception	17.8.1994	Intermediate	16400/-
4	B.Veera Babu	Counter	17.8.1994	M.A.,	16400/-
5	B.Satyanaarayana	Driver	1.4.1998	DL	17850/-
6	M.Srinivasa Rao	Leases	10.8.1995	B.A., LLB.,	16400/-
7	E.Srinivasa Rao	Electrician	09.2.1997	8th class,	13000/-
8	M.V.Satyanaarayana	Gardener	09.02.97	9th Class	13000/-
9	A.K.D.Siva Kumar	Leases	01.10.1997	Inter	16400/-
10	K.V.H.D.Mallikharjuna Rao	Fitter	10.1.1998	I.T.I (Fitter)	16400/-
11	M.Vishnuvardhana Rao	Electrician	5.8.1998	I.T.I (Electrician)	16400/-
12	S.K.Masthan	Gardener	8.3.1999		13000/-
13	K.Poornachandrarao	Gardener	11.01.1999		13000/-
14	V.Praneeth Babu	Accounts	23.10.1999	B.Com	16400/-
15	J.Ganesh	Reception	15.05.2000	SSC	15030/-
16	V.Sambasiva Rao	Plumber	8-4-2000	I.T.I (plumber)	16400/-
17	Karri.Ramesh	Counter	01-05-2000	B.Com	16400/-
18	M.Harendra Babu.	Temple	01-06-2000	B.A.,M.A.	16400/-
19	Ch.Hagamani	Counter	01-07-2000		13000/-
20	K.Srinivasa Rao	Counter	12-03-2000	SSC	15030/-
21	D.Vijaya Laxmi	Pongal Shed	01-07-2000		13000/-
22	M.Jaya Prakash	Sanitation	04-11-2000	PUC with Diploma in sanitation	22460/-
23	G.Sambaiah	Counter	20-03-2000	Intermediate	16400/-
24	P.Ch.H.M Appa Rao	Engg. Sec.	09-03-2000	Diploma	16400/-
25	V.Ramana Babu	Work Inspector	01-08-2000	I.T.I.,Diploma	16400/-
26	M.C.S.Vara Prasad	Counter	14-09-2000	Intermediate	16400/-
27	D.Bapi Raju	Electrician	17-8-2001	Diploma in Electrical & Electronics	18000/-
28	Valapu.Srinivas	Madapati	01-07-2001	SSC	15030/-
29	K.Padmavathi	Cashier	01-07-2001	M.A., Type Lower	16400/-
30	T.Kamala	Stationary	1-7-2001	8th Class	13000/-
31	B.Hagamani	Counter	1-7-2001	8th Class	13000/-

32	S.Venkateswara Reddy	Attender	01-07-2001	B.A.	16400/-
33	D.Kalyani	Counter	18-07-2001	SSC	15030/-
34	Ch.Naga Swamy	Attender	20.03.2011	SSC	15030/-
35	B.Padmavathi	Sweeper	18-07-2001		13000/-
36	A.Rama Krishna Reddy	Plumber	8-10-2001	I.T.I (Diesel Mechanic)	16400/-
37	G.Uma Maheswari.	Typist	01-07-2001	B.Com, Type Both Higher (English & Telugu)	16400/-
38	G.Srinivasa rao,	Cleaner	01-09-2002	SSC	15030/-
39	R.Raju	Attender, Reception	18-10-2002	SSC	15030/-
40	T.Madhusudhanachary	Electrician	25-08-2002	I.T.I (Electrician) B.A. & Diploma in material Management	16400/-
41	G.Punith Kumar	Poolaru	11-01-2003	B.A.	16400/-
42	G.Buchi Babu	Asst Cook	01-01-2004	SSC	15030/-
43	M.L.Chandra Sekhara Reddy	Plumber	20-8-2004	I.T.I (plumber)	16400/-
44	P.Lenin Babu	Plumber	20-8-2004	I.T.I, B.A	16400/-
45	B.Chinna Rao	Sivalayam	01-05-05	SSC	15030/-
46	T.Naga mani	Counter	11-02-2005	SSC	15030/-
47	A. Srinivasa Rao	Driver	10-5-2005	DL	17890/-
48	K.Giri Babu	Driver	4-11-2005	DL	17890/-
49	M.Srinivasa Rao	Driver	4-11-2005	DL	17890/-
50	P.Rambabu	Reception	08-02-08	-	13000/-
51	P.Srinivasulu	Tollfree	01-01-07	Intermediate	16400/-
52	S.Durga Rao	Attender,	01-04-2008	SSC	15030/-
53	A.Hari	Adopted Temple	01-05-08	Intermediate	15030/-
54	Ch.Nageswara Rao	Attender	01-08-08	SSC	15030/-
55	Sk. Saide	Kankadug a Prabha	02-02-09	B.A, MCJ	16400/-
56	P.Suneeha	Sweeper	01-01-2009	SSC	15030/-
57	G.Dhana laxmi	Sweeper	01-01-2009		13000/-
58	Ch.Saileja	Sivalayam	28-05-2013	B.A	16400/-
59	P.Pavan Kumar	Helper	2013	SSC	15030/-

This is submitted for favour of information.

//f.b.o.//

Yours faithfully,  
Sd/-M.V.Suresh Babu,  
EXECUTIVE OFFICER

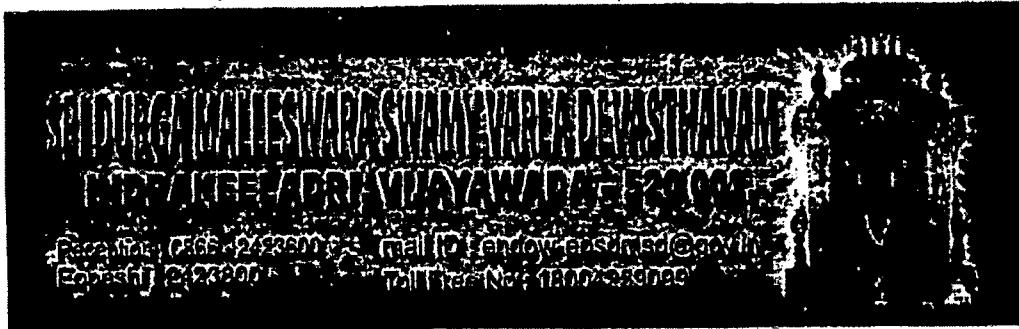
Asst. Executive Officer

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attending

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Appointment proceeding in Rc No. A1/1205/2019, Dt. 28/6/22

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D.Bramaramba  
Joint Commissioner &  
Executive Officer

To  
The Commissioner,  
Endowments Department,  
A.P., Gollapudi,  
Vijayawada.

Rc.No.A1/1205/2019, Dt.24.02.2022

Respected Sir,

Sub: Endowments Department - Sri Durga Malleswara Swamy Varla Devasthanam, Indrakeeladri, Vijayawada - Establishment section - Regularising the services of Sri A.K.D.Siva Kumar, NMR, Sri V.Praneeth Babu, NMR and Sri M.Jaya Prakash, NMR - Report submitted- Orders- Requested Reg.

Ref: 1. Proceedings in Rc.No.A1/COE-11026/68/2019, Dt.15.02.2022 from the Commissioner, Endowments Department, AP, Gollapudi, Vijayawada.  
2. Willing letter of M.Jaya Prakash, NMR Dt:24-02-2022.

I submit that in the reference cited, the Commissioner, Endowments Department, AP, Gollapudi, Vijayawada have issued instructions to the Executive Officer of the subject Devasthanam to take further action for regularisation of the services of Sri A.K.D.Siva Kumar, NMR, Sri V.Praneeth Babu, NMR and Sri M.Jaya Prakash, NMR as per the orders of the Government issued in Memo No. Endw/502/2019/Endt.(3) Dt:02-02-2022 pursuant to the orders of the Hon'ble High Court in WP No.18569/2015 & WP No.2602/2019, Dt:18-03-2019 and report compliance.

In this connection, I submit that the details of appointments etc., of each of the above individuals are submitted here under in layout of physical.

(1) Sri A.K.D.Siva Kumar: He was initially joined as NMR in this Devasthanam on 1.10.1997 for Annadanam Q-line maintenance. His remuneration is Rs.13,000/- Per month from 1-12-2016 which was applicable for Class-IV employees. But, minimum basic pay without allowances of Rs.16,400/- paid from 1-8-2019 which is applicable to the post of Junior Assistant as per the orders of the Government in Memo No.36021/32/Endts.(2)/2018, dt.05-11-2018 and subsequent orders of the Commissioner of Endowments in Rc.No.COE-11026/68/2018-A SEC-Endowments, dt.12.12.2018.

(2) Sri V.Praneeth Babu: He was initially joined as NMR in the Devasthanam on 23.10.1999 for Annadanam Q-line maintenance. His remuneration is Rs.13,000/- Per month from 1-12-2019 which was applicable for Class-IV employees. But, minimum basic pay without allowances of Rs.16,400/- paid from 1-8-2019 which was applicable to the post of Junior Assistant as per the

orders of the Government in Memo No.36021/32/Endts.I(2)/2018, dt.05.12.2018 and subsequent orders of the Commissioner of Endowments in Rc.No.COE-11026/64/2018-A SEC-Endowments, dt.12.12.2018.

(3) **Sri M.Jaya Prakash:-** He was initially joined as NMR Sanitary Inspector in the Devasthanam on 11.04.2000. His remuneration is Rs.10,000/- PM. It was enhanced to Rs.19,500/- from 1-12-2016. Presently he is being paid Basic Pay of Rs.22,460/- which is applicable to the post of Sanitary Inspector vide this Devasthanam Rc.No.A1/1299/2011, dt.8-9-2019 as per the orders of the Government in Memo No.36021/32/Endts.I(2)/2018, dt.05.12.2018 and subsequent orders of the Commissioner of Endowments in Rc.No.COE-11026/64/2018-A SEC-Endowments, dt.12.12.2018.

It is further submitted that Sri M.Jaya Prakash, NMR has submitted a representation informing that there is no objection to absorb him in any lower post than the sanitary inspector post vide reference 2<sup>nd</sup> cited duty enclosing AP Fundamental Rule-4.

It is further submitted that at present the vacancy position of the posts of Junior Assistant, Record Assistants, Attenders & Sanitary Inspector as per cadre strength of this Devasthanam are as detailed below.

Cadre	Sanctioned posts	Present working	vacancies
1	2	3	4
Junior Assistant	42	30	12
Record Assistants	21	20	1
Atenders	29	16	13
Sanitary Inspector	1(regular post) (+1 on out sourcing basis)	1 regular post	0

It is submitted that as per the above cadre strength at present there is no vacancy in Sanitary Inspector post.

Hence, it is requested the Commissioner, Endowments Department, AP, Gollapudi, Vijayawada to issue necessary orders of above three individuals in which post are to be regularised.

A copy of the representation of Sri M.Jaya Prakash along with its enclosure for favour of kind persual.

Yours faithfully,

*B. C. Rao*  
Joint Commissioner &  
Executive Officer

Encl: As above

11  
24/12/2019  
ASO

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Willingness letter.

To  
The Executive Officer  
Sri Durga Malleswaraswamyvarla Devasthanam  
Indrakeeladri  
Vijayawada - 1

Respected Madam,

Ref : G.O.Ms. No. 330 Fin & Ptg., dated 20-04-1994.

2. Procin RC. H. A. / COE-11026/68/2019, dt. 15.02.2022

I submit that I got no objection to work in the lower post than the  
Sanitary Inspector if the services are absorbed in that lower post.

Thanking you Madam,

Yours faithfully,  
H.G. Prakash  
( M. JAYA PRAKASH ) 22/2/22  
Sanitary Inspector, NMR

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OFFICE OF THE EXECUTIVE OFFICER SRI DURGA MALLESWARA  
SWAMY VARLA DEVASTHANAM, INDRAKEELADRI, VIJAYAWADA

Proceedings in Rc.No.A1/353/2023. Dt: 23/03/2023

**Sub:** Endowments Department, Sri Durga Malleswara Swamy Varla Devasthanam, Indrakeeladri, Vijayawada - Secular establishment section - Orders dt.01.12.2023 of the Hon'ble High Court of A.P in WP.No.24967/2022 filed by B.Veera Babu & 2 others - Examined - Passed appropriate orders duly rejecting the request Orders issued - Reg.

**Ref:** Orders of the Hon'ble High Court of AP dt.01.12.2023 in WP. No. 24967/2022 filed by Sri B.Veera Babu & 2 others.

\*\*\*\*\*

**Order:**

Sri B.Veera Babu & 2 others have filed WP.No.24967/2022 before the Hon'ble High Court of A.P., with the following prayer:

"to issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of respondents in regularizing their services in the available vacancies in respondent No.4 temple, eventhough, they are entitled for the same and regularizing the services of others similar employees on pick and choose basis as arbitrary, illegal and contrary to the principles laid down in Uma Devi Vs. State of Karnataka and consequently direct the respondents to regularize the services of the petitioners against the available vacancies on par with other similarly situated employees and pass such other order or orders"

In respect of the above matter the Hon'ble High Court issued orders dt.01.12.2022 as detailed below:

" Learned Counsel for the Writ Petitioners has drawn the attention of this Court to the Order passed by the Learned Single Judge dated 25.07.2022 in W.P.No.14103 of 2020. The relevant portion is extracted hereunder:

"1. Considering the submissions of learned counsel, this Court inclined to dispose of the writ petition, while directing the 3rd respondent to consider the case of the petitioners, if they are eligible in terms of Memo dated 02.02.2022 issued by the Principal Secretary to Government and proceedings dated 21.06.2022 issued by the Commissioner along with similar situated persons as referred therein and pass appropriate orders in accordance with law, within a period of six (06) weeks from the

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date of receipt of a copy of this order.

2. With the above direction, the Writ Petition is disposed of accordingly, without touching the merits of the case with the consent of both the learned counsel.

No costs.

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

3. Learned Counsel for the Writ Petitioners submits that the present Writ Petitioners also belong to the same Department. Over and above this fact, the Writ Petitioners are in fact Seniors to that of the Writ Petitioners in W.P.No.14103 of 2020, and therefore, if the Order dated 25.07.2022 passed by the Learned Single Judge in W.P.No.14103 of 2020 is to be given effect to without taking into account the case of the Writ Petitioners herein, the effect would be that the Writ Petitioners in WP.No.14103 of 2020 who are Juniors to the present Writ Petitioners would be regularized and they would get seniority over and above the present Writ Petitioners in the event the present Writ Petitioners would succeed.

4. Learned Counsel for the Writ Petitioners, on query of this Court could not point out any circumstance or any Order of this Court staying/ suspending the Order dated 25.07.2022

5. Learned Counsel for the Respondents submitted that in view of the fact that there is no stay on the Order dated 25.07.2022, the Official Respondents are taking steps to regularize the services of the Writ Petitioners in W.P.No.14103 of 2020 and further submitted that a Writ Appeal (filed against the Order dated 25.07.2022 in W.P.No.14103 of 2020) is pending and hearings are in progress.

6. This Court is of the view that in the event that the Writ Petitioners in W.P.No.14103 of 2020 are regularized even before the present Writ Petitioners are concerned, the Writ Petitioners would suffer injustice.

7. In this view of the matter, there shall be a direction to the Respondent No.3 to consider the case of the Writ Petitioners in this Writ Petition along with the Writ Petitioners in W.P.No.14103 of 2020 and take steps by considering the actual seniority of each of the Writ Petitioners in both the Writ Petitions Le.. W.P.Nos.14103 of 2020 and 24967 of 2022.

8. Let Counter Affidavit be filed within three weeks. One week thereafter for filing Re-joinder, if any.

9. List the matter on 04.01.2023, " "



The Govt in their Memo No. ENDW/502/2019/Endt (2) dt.2.2.2022 directed to consider the case of the petitioners in WP No.2602/2019 in terms of Rc.No.A1/6005/2011,dt.11.7.2011, Rc.No.A1/5943/2010dt.31.8.2011 and Rc.No. AI/627/2011 dt.4.1.2012 if they are similar to the facts in the above said 3 proceedings.

**1. Regarding the proceedings of the Executive Officer Rc.No.AI/6005/2011.**

**Dt.11.07.2011:**

With regard to the above Hon'ble High Court order dt.25.07.2022. It is informed to the petitioners herein on the Govt Memo Dt.02.02.2022, that the Commissioner Endowments Dept, in his proceedings dt.8.9.2000 sanctioned 7 posts of program Operators and 1 system operator to Sri Durga Malleswara Swamy Varla Devasthanam. Out of 7 posts 3 program operators were appointed on consolidated salary(NMR) and they are working since January 2001. The Specified Authority which was in force in place of non hereditary trust board has agreed to approve the note for enhancement of their pay from Rs. 5000 to 7000 as per the proposal of the then Executive Officer in its resolution No.32 dt.10.5.2008. Again, their pay was enhanced to 11500/ w.e.f dt.9.2.2011.

Subsequently the then Executive Officer in his further proceedings in Rc.No. A1/6005/2011 dt.11.7.2011 absorbed the Computer Operators in the vacancies of Record Assistants which carry the pay of Rs. 11369/ as they were already drawing the pay of Rs. 11,500/-. After absorption of their service in the Record Assistant posts their pay was fixed at Rs. 11369/- in the scale of Rs. 7740-23040 and addressed the Commissioner, Endowments Department requesting to ratify the action of the Executive Officer in having absorbing their services as Record Assistants in the additionally created posts of Record Assistant in terms of G.O.Ms.No.330 F&P dt.24.9.1994 as the three computer operator has given their willingness for regularization of their services in the vacancies of lower posts.

Originally the computer operator posts are in the scale of Junior Assistant. The purport of G.O.Ms.No.330 dt.24.9.1994 is to absorb the services of the NMR/Temporary employees working in higher posts against lower posts with the willingness and consent of those who satisfy the requirements of G.O.Ms.No.212 dt.22.4.1994 but could not be regularized for want of vacancies, which means the employee absorbed as per G.O. 330 should also satisfy the conditions of G.O. 212

and but could not be effected for want of vacancies.

The Commissioner, Endowments Department in his proceedings in Rc.No.A1 /COE-11026/124/2018-ASEC-EN DOWMENTS dt.24.1.2019 issued orders to the Executive Officer as to treat on par with other regular employees and accorded permission to extend future benefits to them. But the Commissioner of Endowments Department has not issued orders ratifying the action of the Executive Officer in absorbing the 3 program operators in the cadre of Record Assistant as requested in Rc.No.A1/6005/2011, dt. 18.7.2011. Therefore the services of 3 program operators were not regularized.

2. Regarding the proceedings of the Executive Officer Rc.No.A1/5943/2010.

Dt.31.08.2011:

The order in Rc.No.A1/5943/2010, dt.31.08.2011 was issued pursuant to specific directions in WP.No.6555/2005 dt.4.02.2005 which is prior to Manjula Bashini Judgment on ban on regularization of services of employees. After Manjula ashini the ratio laid down by the Hon'ble Supreme Court is binding on this Devasthanam.

The services of 8 petitioners i.e., NMR, Drivers & Conductors in the WP.No.6555/2005 were regularized as per the orders of the Commissioner of Endowments Department in Rc.No.A3/9176/2005, Dt.26.12.2006. The Assistant Audit Officer, State Audit Department has opined that the representation of the Drivers and Conductors can be considered as per the High Court orders and orders of the Commissioner, Endowments Department.

Regarding the proceedings of the Executive Officer Rc.No.A1/627/2011.  
Dt.04.01.2012:

The orders in Rc.No.A1/627/2011, Dt.04.01.2012 proceedings were issued pursuant to orders passed in WP.No.201/2006 dt. 14.01.2006 which was filed against G.O.Ms.No.1422 dt.27.05.2005. The said G.O was issued cancelling the irregular proceedings of regularization. The WP.No.201/2006 was disposed of with direction to conduct enquiry and take appropriate direction. As the authority failed to pass orders after conducting enquiry the incumbent's services were directed to be regularized in WP.No.2521/2008 Dt.29.11.2011.

**4. Regarding the proceedings of the Executive Officer Rc.No.A1/1205/2019, dt:28.06.2022:**

Dealt with regularisation of NMRS covered in Govt.Memo No.ENDW/502/2019-Endt.I (2), dt.02-02-2022 it is to place on record that Sri A.K.D.Siva Kumari and others filed W.P.6876/2010 and urged regularisation of their services and the Hon'ble Court directed the Respondents therein to regularise the services of the petitioners subject to their eligibility and in terms of G.O.Ms.No.212. However, the Commissioner rejected the claim of the petitioners by order dt 28-8-2014 on the ground that Govt. imposed ban on recruitment in temples by G.O. Ms.No. 1997 dt.18-10-2005.

Again the very same employees instituted W.P.18568/15 and sought for regularisation of their services and the Hon'ble Court directed the Respondents to reconsider the representations notwithstanding the fact that they have not completed five years of service as 25-11-93 in terms of G.O.Ms.No.212.

The Commissioner has considered the representations and passed order of rejection by proceedings dt. 01-12-2016 assigning the reasons that in view of principles of law enunciated and held in Manjula Bhashini and ban put in place by G.O.Ms.No. 1997 regularization cannot be made.

However the subject NMRS locked up in litigation in W.P 18783/2017 and assailed order of rejection and the Hon'ble Court has taken up Suo- Motu contempt in 1102/17 and ordered appearance and on the pain of contempt the Commissioner has withdrawn the order of rejection by proceedings dt. 05-9-2017.

Viewed as against backdrop of the matter and the issues discussed above: it is to comprehend plainly that Devasthanam has regularized the services of subject NMRS covered in Govt.Memo No.ENDW/502/2019-Endt.I (2), dt.02-02-2022 in view of the orders passed by the Hon'ble Court in W.P18568/2015 and orders of the Commissioner, Endowments Department, A.P., Vijayawada in Rc.No.A1/11026/55/2019, dt:21.06.2022.

Therefore, the case of the petitioners i.e., B.Veera Babu and 2 others in WP.No.24967/2022 is not similar to that of petitioners in W/P No.2602/2019 whose cases were considered by Government in its Memo dt.02.02.2022 and they are not eligible in terms of Govt Memo Dt.02.02.2022.

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Hence, Govt. memo Dt.02.02.2022 is not applicable to the petitioners herein for reasons mentioned supra. Accordingly, the case of the petitioners in WP.No.14103 of 2020 was considered and rejected.

The case of the petitioners in WP.No.24967 of 2022 was considered keeping in view of the proceedings issued in the case of petitioners covered in WP.No.14103 of 2020 and accordingly stood rejected.

D.bramaramba

Joint Commissioner &  
Executive Officer

To

1. Sri B.Veera Babu, N.M.R
2. Sri Ramalavasa Raju, N.M.R
3. Sri Chandrala Nageswara Rao, N.M.R
4. Copy submitted to the Commissioner, Endowments Department, A.P, Gollapudi, Vijayawada for favour of kind information

5. Copy submitted to the Standing Counsel for Endowments Department for favour of Information.

Signed by D.bramaramba

Date: 23-03-2023 19:08:28

Reason: Approved

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Office of the Commissioner,  
Endowments Department,  
A.P., Vijayawada.

**Memo in Rc.No.A1/COE-11026(43)/40/2024, Dt:15-01-2025**

**Sub:**Endowments Department - NTR District - Sri Durga Malleswara Swamyvarala Devasthanam, Indrakeeladri, Vijayawada - W.P No.30186 of 2014 and W.P No. 11467 of 2013 and C.C.No.84 of 2015 filed by Sri P. Srinivasulu, NMR for regularisation of his services as Conductor in the cadre of Record Assistant or any other post in the devasthanam - Allowed by the Hon'ble High Court vide common orders dated 26.07.2022 - Detailed report received from the Executive Officer - Examined - Permission to regularise the services of Sri P. Srinivasulu, N.M.R as Record Assistant in the existing vacancy - Accorded - Orders Issued.

**Ref:** 1.Representation Dt.04-03-2024 from Sri P. Srinivasulu, N.M.R, Sri Durga Malleswara Swamyvarala Devasthanam, Indrakeeladri, Vijayawada.  
2.This office Memo.in Rc.No.A1/ 11026(43)/40/2024, Dt.08/05/2024.  
3.Rc. No. A1/2274/2014, Dt:27-05-2024 from the Executive Officer, Sri Durga Malleswara Swamyvarla Devasthanam, Vijayawada.  
4.This office Memo.in Rc.No.A1/ 11026(43)/40/2024-II, 07/06/2024.  
5.Government.Memo.No.REV01-ENDW/559/2024-ENDT-I Dated:25/06/2024.  
6. This office Memo in Rc.No.A1/11026/(43)/40/2024, Dt.11.07.2024.  
7.Rc.No.A1/2274/2014, Dt.11.01.2025 from the Executive Officer, Sri Durga Malleswara Swamyvarla Devasthanam, Indrakeeladri, Vijayawada.

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In the circumstances reported by the Executive Officer, Sri Durga Malleswara Swamyvarla Devasthanam, Indrakeeladri, Vijayawada, in the reference 7<sup>th</sup> cited, the Commissioner, Endowments Department, A.P., Viayawada hereby accords permission to the Executive Officer of the subject devasthanam to regularize the services of Sri P. Srinivasulu, N.M.R of the subject devasthanam as Record Assistant in the existing vacancy in the establishment of the subject devasthanam, as per the common orders dated 26.07.2022 rendered by the Hon'ble High Court in W.P No.30186 of 2014 and W.P No. 11467 of 2013 and C.C.No.84 of 2015, without prejudice to the rights of the devasthanam to challenge the said common orders dated 26.07.2022

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by availing all its legal remedies and subject to result thereof.

The Executive Officer, Sri Durga Malleswara Swamyvarla Devasthanam, Indrakeeladri, Vijayawada shall take further necessary action accordingly and report compliance.

**S SATYANARAYANA  
COMMISSIONER**

To:

- 1) The Executive Officer, Sri Durga Malleswara Swamyvarla Devasthanam, Indrakeeladri, Vijayawada.
- 2) Copy to Sri P. Srinivasulu, N.M.R, Sri Durga Malleswara Swamyvarala Devasthanam, Indrakeeladri, Vijayawada. (Through Sl.No.1)

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**GOVERNMENT OF ANDHRA PRADESH**  
**ENDOWMENTS DEPARTMENT**

**From:** S.Satyanarayana, I.A.S., The Govt., Pleader for  
Commissioner, Endowments,  
Endowments High Court of Andhra Pradesh,  
Department, at Nelapadu, Amaravati.  
A.P., Vijayawada.

**Lr. in Rc.No.A1/COE-11026(43)/40/2024, Dt:17-01-**  
**2025.**

Sir,

**Sub:**Endowments Department - NTR District - Sri Durga  
Malleswara Swamyvarla Devasthanam, Indrakeeladri,  
Vijayawada - W.P No.30186 of 2014 and W.P No. 11467  
of 2013 and C.C.No.84 of 2015 filed by Sri P.  
Srinivasulu, NMR for regularisation of his services as  
Conductor in the cadre of Record Assistant or any  
other post in the devasthanam - Allowed by the Hon'ble  
High Court vide common orders dated 26.07.2022 -  
Contempt Case No.2489 of 2024 filed by Sri P.  
Srinivasulu, NMR for compliance of common orders -  
Complied the Hon'ble High Court common orders -  
Report submitted-Regarding.

**Ref:** 1.W.P. No. No.11467 of 2013 & W.P.No.30186 of 2014

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filed by Sri P.Srinivasulu, NMR of the subject Devasthanam.

2. Hon'ble High Court Comon Orders in W.P. No.11467 of 2013 and W.P. No. 30186 of 2014 and C.C.No.84 of 2015, dt: 26.07.2022.

3.Contempt Case No.2489 of 2024 filed by Sri P. Srinivasulu, NMR of the subject Devasthanam.

4.This Office Memo in Rc.No.A1/COE-11026(43)/40/2024, Dt:15-01-2025.

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Kind attention is invited to the references cited.

It is submitted that in the reference 1<sup>st</sup> cited, Sri P.Srinivasulu, NMR, Sri Durga Malleswara Swamyvarla Devasthanam Indrakeeladri, Vijayawada has filed W.P. No.No.11467 of 2013 on the file of the Hon'ble High Court of A.P, with a prayer to declare the action of the 3rd respondent ( Executive Officer of the subject devasthanam) in rejecting the petitioner's representation for regularization of his services vide Proceedings Rc. No. A1/1763/2012, dated 07.08.2012 as illegal, arbitrary and violative of principles of natural justice and consequently set aside the said Proceeding of the 3rd respondent by directing the respondents to



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consider the case of the petitioner for regularization to the post of Conductor in the vacant post or any other post in the 3rd respondent organization as requested in his representation dated 05.09.2012 and pass such other orders"

Further, he has filed another Writ Petition No.30186 of 2014 seeking the following relief:

".... Issue an order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not extending the time scale as Conductor in the cadre of Record Assistant to the petitioner as done in the case of other employees of Respondent.No.3 of Devasthanam and other employees of other Devasthanams, as illegal, arbitrary, improper, unjust, discriminator and violative of Article 14 and 16 of Constitution of India and consequently direct the respondents to extend the time scale to the petitioner as Conductor in the cadre of Record Assistant and also grant consequential benefits, including monitory benefits and pass such other orders."

It is submitted that the Hon'ble High Court issued Interim directions dated 10.10.2014 in W.P.No.30186 of 2014 that **"there shall be interim direction to the respondents to consider the case of the petitioner**

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for granting scale in the cadre of Record Assistant". He filed Contempt Case No.84 of 2015 for compliance of these orders.

Finally, the Hon'ble High Court by its Common orders dated 26.07.2022 allowed both Writ Petition Nos.30186 of 2014 + 11467 of 2013 and closed the Contempt Case, holding that "the Petitioner is entitled to claim the relief as sought for in the Writ Petitions"

Sri P. Srinivasulu, NMR, Sri Durga Malleswara Swamyvarla Devasthanam Indrakeeladri, Vijayawada has filed Contempt Case. No.C.C.No.2489 of 2024 and the same was posted on 21.01.2025 for compliance of the above common orders.

In this connection, it is further submitted that this office has implemented the above common orders by issuing orders vide reference 3rd cited according permission to the Executive Officer of the subject devasthanam to regularize the services of Sri P. Srinivasulu, N.M.R of the subject devasthanam as Record Assistant in the existing vacancy in the establishment of the subject devasthanam, as per the common orders dated 26.07.2022 rendered by the Hon'ble High Court in W.P No.30186 of 2014 and W.P No. 11467 of 2013 and C.C.No.84 of 2015, without

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prejudice to the rights of the devasthanam to challenge the said common orders dated 26.07.2022.(copy enclosed)

Hence, it is requested to appraise the above facts before the Hon'ble High Court at the time of hearing of Contempt Case No.2489 of 2024 filed by Sri P. Srinivasulu, NMR and see that the contempt case is closed.

Encl: As above.

**Yours Sincerely,**  
**S SATYANARAYANA**  
**COMMISSIONER**

Digitally signed by  
S SATYANARAYANA  
Date: 17-01-2025  
18:24:47

Gx

KRISHNA:: DISTRICT  
HIGH COURT ::AMARAVATI  
C.C. No. OF 2025

IN

W.P.No.24967 of 2022

BETWEEN:

B.VEERA BABU and others

....Petitioner

AND

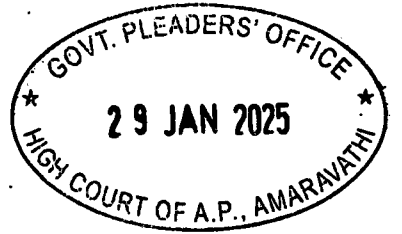
S.Satyanarayana and others

...Respondent

Endow

MEMO OF CONTEMPT CASE

Filed on :27.01.2025



M/s.V.R.REDDY KOVVURI (3472)

B.ABHAY SIDDHANTH

RAVITEJA TALASEELA

ADVOCATES

COUNSEL FOR PETITIONER

9502313153