

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
C.C.No. OF 2025

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Place: Amaravathi
Date : 06.1.2025

COUNSEL FOR THE PETITIONER

[Signature]

(Under Article 10 to 12 of the Contempt of Courts Act)
IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATHI
C.C.NO. of 2025

Between:

- ... **Petitioner**

1. Government of Andhra Pradesh,
Rep. by its principal Secretary,
Endowments Department, Secretariat,
(Hyderabad) Presently Secretariat, Velagapudi
Amaravathi, Guntur District, Andhra Pradesh.
O/o. Endowment Bhavan, Gollapudi, NTR District,
Andhra Pradesh-521225.
2. The commissioner of Endowments, Andhra Pradesh,
Hyderabad, office at Boggulakunta,
Hyderabad, Andhra Pradesh.
Presently Secretariat, Velagapudi

Amaravathi, Guntur District, Andhra Pradesh.
O/o. Endowment Bhavan, Gollapudi, NTR District,
Andhra Pradesh-521225.

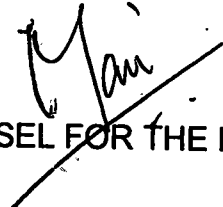
3. The Deputy Commissioner,
Endowment Department, Kakinada, Andhra Pradesh.

... Respondents

The address for service on the above named petitioners is that of their counsel **B.V.S CHALAPATHI RAO (4254)** Advocate, Suryarao peta, Vijayawada, Krishna District, Andhra Pradesh,

For the reasons stated in the Affidavit accompanying the Contempt Petition it is therefore prayed that this Hon'ble Court may be pleased to punish the contemnors under Sections 10 to 12 of the Contempt of Courts Act, read with Article 215 of the Constitution of India for will-fully, wontedly, knowingly, deliberately and disobeyed the orders passed in W.P.No. 40612 of 2014 dt: 13/12/2021, by his Lordship Hon'ble Sri.K. SURESH REDDY, J, And to pass such other order or further orders as this Hon'ble court may be deem fit and proper in the interest of Justice.

PLACE: Amaravathi.
DATE : -1-2025


COUNSEL FOR THE PETITIONER

DISTRICT:: EAST GODAVARI

IN THE HIGH COURT OF
ANDHRA PRADESH AT
AMARAVATHI

C.C.No. of 2025
In

W.P.No. 40612 OF 2014

MEMORANDUM OF CONTEMPT CASE

Filed on : .1-2025

Filed by :

B.V.S CHALAPATHIRAO(4254)
ADVOCATE
COUNSEL FOR THE PETITIONER

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

C.C.NO. of 2024
In

W.P.No. 40612 OF 2014

Between:

1. Sri. K. Surya Prakasarao
S/o .Rattalu , Aged :71 Years,
Occ : Senior Assistant (Retd.)
D.No. 7-162,Old Market Street, Vadapalem,
Kothapeta, Mandal, East Godavari District.
2. Sri. P.Laxmipathi Rao,
S/o . Ramakrishna Sarma , Aged :71 Years,
Occ : Senior Assistant (Retd.)
D.No. 32 -1-28/18, Lalitha Nagar,
Ramachandrapuram, East Godavari District.
3. Sri. V.V.Subrahmanyam,
S/o . Krishna Murthy Sastry , Aged :69 Years,
Occ : Senior Assistant (Retd.)
R./No. 23-19-13/1, Lalitha Nagar, 2nd street,
Rajahmundry, East Godavari District.AP.
4. Sri.K.V.Subrahmanyam,
S/o .Venkata Ramana RAO , Aged :68 Years,
Occ : Senior Assistant (Retd.)
R/o.D.No.2-33, Appanapally, Minor Rega Street,
Mamidikuduru Mandal Lalitha Nagar,
East Godavari District. Andhra Pradesh.

... Petitioner

A N D

1. Government of Andhra Pradesh,
Rep. by its principal Secretary,
Endowments Department, Secretariat,
(Hyderabad) Presently Secretariat, Velagapudi
Amaravathi, Guntur District, Andhra Pradesh.
O/o. Endowment Bhavan. Gollapudi, NTR District,
Andhra Pradesh-521225.
2. The commissioner of Endowments, Andhra Pradesh,
Hyderabad, office at Boggulakunta,
Hyderabad, Andhra Pradesh.
Presently Secretariat, Velagapudi
Amaravathi, Guntur District, Andhra Pradesh.
O/o. Endowment Bhavan. Gollapudi, NTR District,
Andhra Pradesh-521225.

3. The Deputy Commissioner,
Endowment Department, Kakinada, Andhra Pradesh.

... Respondents.

AFFIDAVIT

I, P.Laxmipathi Rao, S/o. Ramakrishna Sarma, Aged : 61 Years, Occ : Senior Assistant (Retd.) R/o.D.No. 32 – 1- 28/18, Lalitha Nagar, Ramachandrapuram, East Godavari District. I am temporarily come down to amaravathi do hereby solemnly affirm and sincerely state on oath as follows:

1. I respectfully submit that I am the 2nd Petitioner herein and I am authorized to depose this affidavit on behalf of other petitioners herein and I am well acquainted with the facts of the case.

2. I further submit that the petitioners are filed the writ petition for challenging the all the three writ petitions submit that they would feel satisfied if these writ petitions are disposed of by directing the Commissioner of Endowments, Andhra Pradesh-respondent No. 2 to consider and dispose of the representations made by the petitioners for appointment to the post of Executive Officer, Grade-II, according to the seniority list dated 25-05-2011 by transfer of service for consider notional promotion in the Endowment department. ..

3. I submit that the present contempt case is filed for not implementing the orders passed by this Hon'ble Court in W.P.No.40612 of 2014 and along with batch no WP.No. 38415 of 2015,38429 of 2015 disposal dt: 13-12-2021 where in the direction of the Hon'ble Court to pass orders With a direction to the respondents herein for consider the petitioners notional promotions supra.

4. I submit that the after hearing of the case The Hon'ble court was pleased to dispose of the W.P.No 40612 of 2014 in a common order dated. 13.12.2021 order is extracted as follows:

In view of the short submission made and innocuous relief claimed, it will be futile to keep these writ petitions pending and the same are, therefore, disposed of by directing the Commissioner of Endowments, Andhra Pradesh-respondent No. 2 to consider and dispose of the representations made by the petitioners for appointment to the post of Executive Officer, Grade-II, according to the seniority list dated 25-05-2011 and in accordance with the Rules governing promotions, as expeditiously as possible and in any event not later than two months from the date of receipt of a copy of this order.

5. I submit that the petitioners had received the order copy in the month of feb -2022 and subsequently submit this order copy along with representation to the respondents here in , dated.14.02.2022,04.03.2022,24.05.2024 for consider the petitioner grievance as per the Hon'ble court orders implementation purpose but the respondents herein rejected the petitioner notional promotion dated.15.02.2022 basing on the rejection orders the petitioners are filed the appeal before the competent authority u/s 93 of Act 30 /1987 for consider the promotion and appeal is also rejected on 15.12.2022 but the then respondents herein is not even filed the counter in the Appeal and further it was forwarded to government to consider the notional promotion dated 12.09.2023 basing on that the authority passed the necessary directions to respondents herein dated 26.10.2023 ,23.02.2024 to implement the Hon'ble high court orders dated.13.12.2021 common order in W,P.No.40612 of 2014 supra in this proceedings respondents herein admitted that petitioners are

entitled and eligible for the Grade –II , Executive Officer, Notional promotion to the petitioners herein for consider by transfer of service as per the seniority list dated.25.05.2011 but it is vane and not consider the petitioners promotion is clear contempt case against the respondents here in .

6. I respectfully submit that the petitioner herein submitted a detailed representations to the respondents herein , for consideration the respondents herein the authorities are neither consider the petitioner promotion nor consider the Hon'ble High court order directions is arbitrary in nature and clear violation of the Courts orders..

7. I further submit that the through there is a specific direction to respondents herein for consider the petitioner notional promotion Grade –II , Executive Officer, Notional promotion to the petitioners herein for consider by transfer of service in accordance with the Rules governing promotions, as expeditiously as possible and in any event not later than two months from the date of receipt of a copy of this order.

8. I respectfully submitted that though there is a specific direction to follow law and provide the notional promotion Grade –II , Executive Officer, Notional promotion to the petitioners herein for consider by transfer of service to petitioners herein with in a 2 months from the date of receipt of order (order was received on jan – 2022) till today no action is taken by the all the respondents herein which is deliberately, intentionally, violating the court orders under the Provisions of Contempt of Courts Act.

9. I further submit that the then respondents herein is also issued the proceedings in favour of petitioner herein on 08.08.2024 for implement the Hon'ble court orders cited in the above and also government send the

instructions to the 2nd respondent here in to implement the Grade –II , Executive Officer, Notional promotion to the petitioners herein for consider by transfer of service

For the reasons stated in the accompanying affidavit therefore it is prayed that this Hon'ble court may be pleased to punish the respondents herein under section 10 to 12 of the Contempt of Courts Act,1971 for not implementing the order dated/13.12.2021 in W.P.No. 40612 of 2014, 38415 of 2015& 38429 of 2015 orders passed by Hon'ble Justice K. Suresh Reddy and pass such other order or orders as deemed fit and proper under the facts and circumstances of the case and in the interest of the justice

Sworn and signed before me

DEPONENT

On this the 6th day of jan, 2025
At Amaravathi.

BEFORE ME

ADVOCATE:: AMARAVATHI

VERIFICATION STATEMENT

I, P.Laxmipathi Rao, S/o. Ramakrishna Sarma, Aged : 61 Years, Occ : Senior Assistant (Retd.) R/o.D.No. 32 – 1- 28/18, Lalitha Nagar, Ramachandrapuram, East Godavari District. being the petitioner / person acquainted with the facts do hereby verify and state that the contents of the above paras of the affidavit are true and correct to the best of my knowledge, Hence verified.

Hence, verified at Amaravati on this 6TH day of JAN, 2025.

ADVOCATE

DEPONENT

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

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HON'BLE SRI JUSTICE K. SURESH REDDY

WRIT PETITION NOS: 40612 OF 2014 AND 38415 & 38429 OF 2015

13/12/2024

W.P. No. 40612 OF 2014

Between:

1. K.Surya Prakasa Rao, S/o.Rattalu, Aged : 60 years, Occ: Senior Assistant (Retd.), R/o.D.No.7-162, Old Market Street, Vadapalem, Kothapeta Mandal, East Godavari District.
2. P.Laxmipathi Rao, S/o.Ramakrishna Sarma, Aged : 61 years, Occ: Senior Assistant (Retd.) R/o.D.No.32-1-28/18, Lalitha Nagar, Ramachandrapuram, East Godavari District.
3. V.V.S.Subrahmanyam, S/o.Krishna Murthy Sastry, Aged : 59 years, Occ: Senior Assistant (Retd), R/o.23-19-13/1, Lalitha Nagar, 2nd Street, Rajahmundry, East Godavari District.
4. K.V.Subrahmanyam, S/o.Venkata Ramana Rao, Aged : 58 years, Occ: Senior Assistant (Retd), R/o.D.No.2-33, Appanapally, Minor Rega Street, Mamidikuduru Mandal, East Godavari District.

...PETITIONERS

AND

1. Government of Andhra Pradesh, Rep. by its Principal Secretary, Endowments Department, Secretariat, Hyderabad.
2. The Commissioner of Endowments, Andhra Pradesh, Hyderabad, Office at Boggulakunta, Hyderabad, Andhra Pradesh.
3. The Deputy Commissioner, Endowments Department, Kakinada, Andhra Pradesh.

...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 order or direction more particularly one in the nature of Writ of Mandamus, a) Declaring the action of Respondent No.2 in not passing orders upon the representations dt.24.11.2014 and 08.12.2014 of the Petitioners as bad, illegal, arbitrary and b) To direct the Respondent No.2 to strictly follow Rule 33 of A.P.Charitable and Hindu Religious Institutions and Endowments Office Holders and Servant Rules 2000, issued in G.O.Ms.No.888, dt.08.12.2000 read with A.P. Charitable and Hindu Religious Institutions and Endowments Sub-Ordinate Service Rules issued in G.O.Ms.No.262, dt.20.05.2002 and to effect promotions to the Petitioners to the post of Executive Officer Grade-II as per Seniority List dt.25.05.2011 of Senior Assistants of Zone-II, Kakinada Division pertaining to Senior Assistants of temple service and also in terms of G.O.Ms.No.385 Revenue (Endowments) Department dt.18.11.2014 issued by the Respondent No. 1. c) Further to declare that the Petitioner Nos.1 to 4 are entitled for appointment by transfer of service to the cadre of Executive Officer Grade-II notionally in terms of their Seniority in the cadre of Senior Assistants as per Seniority List dt.25.05.2011 of Zone-II, Kakinada with retrospective effect i.e. from date of vacancies that arose for the post of Executive Officer Grade-II, on par with their Junior Sri K. Rama Gopala Rao who is promoted by Respondent No.1 in his Memo No.Rc.D1/42429/2011-2 dt.30.04.2013.

I.A. NO: 1 OF 2014(WPMP. NO: 50913 OF 2014)

2

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondent No.2 to appoint the Petitioners as Executive Officers Grade-II in terms of their representations dt.24.11.2014 & 08.12.2014 Seniority in the Seniority List dt.25.05.2011 in the cadre of Senior Assistants in accordance with Rule 33 of A.P.Charitable and Hindu Religious Institutions and Endowments Office Holders and Servant Rules 2000 issued in G.O.Ms.No.888, dt.08.12.2000 and in terms of A.P. Charitable and Hindu Religious Institutions and Endowments Sub-Ordinate Service Rules issued in G.O.Ms.No.262, dt.20.05.2002 and G.O.Ms.No.385 Revenue (Endowments-I) Department dt.18.11.2014 in the existing vacancies retrospectively on par with their Junior Sri K.Rama Gopala Rao.

Counsel for the Petitioners: SRI. A.M. KRISHNA

Counsel for the Respondents: GP FOR ENDOWMENTS

WRIT PETITION NO: 38415 OF 2015

Between:

1. Sagi Gopala Narsa Raju DIED per LRs, S/o. Late Sri Ramabhadra Raju Hindu, Age 62 years, Occ Retired Employee R/o. H.No.23-7-109, Ramachandrapuram - 533 255 East Godavari District
2. Sagi Anantha Vijaya Lakshmi, W/o. Late Sri Gopala Narsa Raju, Hindu, Aged about 65 years, Occ House Wife R/o H.no. 23-7-109, Ramachandrapuram-533255, East Godavari District.

Petitioner No.2 brought on record as L.R. of the deceased 1st petitioner as per Court Order dated: 07/10/2021 vide I.A. No.1/2021 in W.P. No. 38415 of 2015 in the petition and affidavit.

...PETITIONERS

AND

1. State of Andhra Pradesh, Rep. by its Principal Secretary Revenue (Endowments) Department Secretariat, Hyderabad - 500 022.
2. The Commissioner, Endowments Department Andhra Pradesh, Tilak Road Boggulakunta, Hyderabad - 500 001.
3. The Deputy Commissioner Endowments, Rama Rao Peta, Kakinada - 533 003, East Godavari District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ order or direction, more particularly one in the nature of Writ of Mandamus declaring the proceedings of the 2nd Respondent bearing Rc.No.E2/28511/2014-II dated 28-05-2015 as illegal, arbitrary, unjust and contrary to the provisions of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act 30 of 1987) and the Rules made thereunder and consequently direct the Respondents to effect promotion to the Petitioner to the post of Executive Officer Grade-II as per seniority list dated 25-05-2011 of the temple Senior Assistants in Zone-II by declaring that the Petitioner is entitled for appointment by transfer of service to the cadre of Executive Officer Grade-II notionally with retrospective effect on par with Sri K. Rama Gopala Rao, who was junior to the Petitioner and who was given promotion vide Memo in Rc.No.D1/42429/2011-2 dated 30-04-2013.

I.A. NO: 1 OF 2015(WPMP. NO: 49463 OF 2015)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents to effect promotion to the Petitioner to the post of Executive Officer Grade-II as per seniority list dated 25-05-2011 of the temple Senior Assistants in Zone-II with retrospective effect on par with Sri K. Rama Gopala Rao, who was junior to the Petitioner and who was given promotion vide Memo in Rc.No.D1/42429/2011-2 dated 30-04-2013 of the 2nd Respondent, pending disposal of the present Writ Petition.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to permit the 2nd Petitioner herein to come on record as 2nd Petitioner in W.P.No. 38415 of 2015, being the Legal Representative of the deceased 1st Petitioner to prosecute the Writ Petition.

Counsel for the Petitioners: SRI. N. SIVA REDDY

Counsel for the Respondents: GP FOR ENDOWMENTS

WRIT PETITION NO: 38429 OF 2015

Between:

1. Kompella Rama Krishna DIED per LR, S/o. Late Sri Ammanna Sastry, Hindu, Age 62 years, Occ Retired Employee R/o. H.No. 24-8-6, Thammavari Street Mandapeta - 533 308, East Godavari District.
2. Kompella Suryakantham, W/o Late Sri Rama Krishna, Hindu, Aged about 59 years, Occ House Wife, R/o H.No. 24-8-6, Thammavari Street, Mandapeta 533308, East Godavari District.

Petitioner No.2 brought on record as L.R. of the deceased 1st petitioner as per Court Order dated: 07/10/2021 vide I.A. No.1/2021 in W.P. No. 38429 of 2015.

...PETITIONERS

AND

1. State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue (Endowments) Department Secretariat, Hyderabad - 500 022.
2. The Commissioner, Endowments Department Andhra Pradesh, Tilak Road Boggulakunta, Hyderabad - 500 001.
3. The Deputy Commissioner Endowments, Rama Rao Peta, Kakinada - 533 003, East Godavari District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ order or direction, more particularly one in the nature of Writ of Mandamus declaring the proceedings of the 2nd Respondent bearing RC No. E2/28511/2014-II dated 28-05-2015 as illegal, arbitrary, unjust and contrary to the provisions of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act 30 of 1987) and the Rules made thereunder and consequently direct the Respondents to effect promotion to the Petitioner to the post of Executive Officer Grade-II as per seniority list dated 25-05-2011 of the temple Senior Assistants in Zone-II by declaring that the Petitioner is entitled for appointment by transfer of service to the cadre of Executive Officer Grade-II notionally with retrospective effect on par with Sri K. Rama Gopala Rao, who was junior to the Petitioner and who was given promotion vide Memo in RC No. D1/42429/2011-2 dated 30-04-2013.

4

I.A. NO: 1 OF 2015(WPMP. NO: 49477 OF 2015)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents to effect promotion to the Petitioner to the post of Executive Officer, Grade-II as per seniority list dated 25-05-2011 of the temple Senior Assistants in Zone-II with retrospective effect on par with Sri K. Rama Gopala Rao, who was junior to the Petitioner and who was given promotion vide Memo in RC No. D114242912011-2 dated 30-04-2013 of the 2nd Respondent, pending disposal of the present Writ Petition.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to permit the 2nd Petitioner herein to come on record as 2nd Petitioner in W.P.No. 38429 of 2015, being the Legal Representative of the deceased 1st Petitioner to prosecute the Writ Petition.

Counsel for the Petitioners: SRI. N. SIVA REDDY

Counsel for the Respondents: GP FOR ENDOWMENTS

The Court made the following COMMON ORDER

THE HON'BLE SRI JUSTICE K.SURESH REDDY

W.P.Nos. 40612 OF 2014 AND 38415 & 38429 OF 2015

COMMON ORDER:

Learned counsel for the petitioners in all the three writ petitions submit that they would feel satisfied if these writ petitions are disposed of by directing the Commissioner of Endowments, Andhra Pradesh-respondent No. 2 to consider and dispose of the representations made by the petitioners for appointment to the post of Executive Officer, Grade-II, according to the seniority list dated 25-05-2011.

2. In view of the short submission made and innocuous relief claimed, it will be futile to keep these writ petitions pending and the same are, therefore, disposed of by directing the Commissioner of Endowments, Andhra Pradesh-respondent No. 2 to consider and dispose of the representations made by the petitioners for appointment to the post of Executive Officer, Grade-II, according to the seniority list dated 25-05-2011 and in accordance with the Rules governing promotions, as expeditiously as possible and in any event not later than two months from the date of receipt of a copy of this order.

3. Pending miscellaneous applications, if any, shall stand dismissed in consequence. No costs.

SD/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Endowments Department, Government of Andhra Pradesh, Secretariat, Hyderabad.
2. The Commissioner of Endowments, Andhra Pradesh, Hyderabad, Office at Boggulakunta, Hyderabad, Andhra Pradesh.
3. The Deputy Commissioner, Endowments Department, Kakinada, Andhra Pradesh.
4. One CC to SRI. A.M. KRISHNA Advocate [OPUC]
5. One CC to SRI. N. SIVA-REDDY, Advocate [OPUC]
6. Two CCs to GP FOR ENDOWMENTS, High Court of Andhra Pradesh. [OUT]
7. Two CD Copies

Chp

H

HIGH COURT

DATED:30/12/2021

COMMON ORDER

WRIT PETITION NCs: 40612 OF 2014 & 38415 & 38429 OF
2015

DISPOSING OF THE W.Ps. WITHOUT COSTS

1 P.
5/1/2022
BHP

② iii ⑧

13/12/2014

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
TUESDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOURTEEN

:PRESENT:
THE HON'BLE SRI JUSTICE R.KANTHA RAO

WP.MP.NO:50913 of 2014

IN

WP.NO:40612 of 2014

Between:

1. K. Surya Prakasa Rao, s/o Rattalu
2. P. Laxmi pathi Rao S/o Ramakrishna Sarma
3. V.V.S. Subrahmanyam S/o Krishna Murthy Sastry
4. K.V. Subrahmanyam S/o Venkata Ramana Rao

...Petitioner(s)
(Petitioner in WP 40612 of 2014
on the file of High Court)

AND

1. Government of Andhra Pradesh, rep by its Principal Secretary, Endowments Department, Secretariat, Hyderabad
2. The Commissioner of Endowments, Andhra Pradesh, Hyderabad, Office at Boggulakunta, Hyderabad, Andhra Pradesh
3. The Deputy Commissioner, Endowments Department, Kakinada, Andhra Pradesh

...Respondent(s)
(Respondents in-do-)

Counsel for the Petitioner: SRI W B SRINIVAS

Counsel for the Respondent: GP FOR ENDOWMENTS (AP)

Petition under Section 151 of C.P.C. Praying that in the circumstances stated in the affidavit filed in W.P. the High Court may be pleased direct the Respondent No.2 to appoint the Petitioners as Executive Officers Grade II in terms of their representations dated: 24.11.2014 & 08.12.2014 as per their Seniority in the Seniority List dated: 25.05.2011 in the cadre of the Senior Assistants in accordance with Rule 33 of A.P. Charitable and Hindu Religious Institutions and Endowments Office Holders and Servant Rules 2000 issued in G.O Ms. No. 888, dt: 08.12.2000 and in terms of A.P. Charitable and Hindu Religious Institutions and Endowments Sub-Ordinate Service Rules issued in G.O Ms. No. 262, dated: 20.05.2002 and G.O Ms. No. 385 Revenue (Endowments - I) Department dt: 18.11.2014 in the existing vacancies retrospectively on par with their Junior Sri K. Ram Gopala Rao pending WP No. 40612 of 2014 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). The Court made the following.

ORDER

There shall be interim direction to the respondents to consider and dispose of the representation made by the petitioners on 24.11.2014 & 08.12.2014, for appointment to the post of Executive Officer Grade - II, according to the seniority list dt: 25.05.2011, and in accordance with the Rules governing

promotions within a period of two months from the date of receipt of a copy of this order

SD/-T. NAGESH BABU
ASSISTANT REGISTRAR

//TRUE COPY//


For ASSISTANT REGISTRAR

To

- 1 The Principal Secretary, Government of Andhra Pradesh, Endowments Department, Secretariat, Hyderabad
- 2 The Commissioner of Endowments, Andhra Pradesh, Hyderabad, Office at Boggulakunta, Hyderabad, Andhra Pradesh
- 3 The Deputy Commissioner, Endowments Department, Kakinada, Andhra Pradesh
- (1 to 3 by RPAD)
- 4 One CC to Sri W.B. SRINIVAS, Advocate (OPUC)
- 5 Two CC's to G.P for Endowments, High Court at Hyderabad (OUT)
- 6 Two Spare copies.

Avs

14-02-2022

To
The Commissioner,
Endowments Department
Gollapudi, Vijayawada,
Krishna District, Andhra Pradesh.

Respected Sir,

Sub: Representation for appointment as Grade II, Executive officer by transfer of service notionally as per the orders issued in W.P NO: 40612/14, W.P NO: 38415/15 and W.P NO: 38429/15 dt 30-12-2021 – Regarding.

We the undersigned (1. K S Prakash Rao Rtd Sr Assistant, 2. P Laxmipathi Rao, Rtd Sr Assistant, 3. V V S Subrahmanyam Rtd Sr Assistant, 4. K V Subrahmanyam Rtd Sr Assistant, 5. Smt S Anatha Vijaya Laxmi w/o deceased Sr Assistant Late Sri Gopala Narsa Raju and 6. Smt K Suryakantham W/o deceased Sr Assistant Late Sri Rama Krishna) submit that we worked as senior assistants in different institutions and retired on attaining the age of superannuation subsequently. While we were working as senior assistants, the Deputy Commissioner Endowment Department Kakinada was pleased to communicate the seniority list of senior assistants dt 25-05-2011 of Zone II, Kakinada division in R.C No B4/14898/2010 dt 25-05-2011. Copy of seniority list dt 25-05-2011 is here with submitted for kindly perusal. In the said seniority list, our names were placed at S.L. No 11, S.L. No 12, S.L. No 21, S.L. No 27, S.L. No 14 and S.L. No 29. While so one Sri K Ram Gopal Rao who was placed at S.L. No 62 was appointed as Grade II Executive Officer by transfer of service, even though he was Junior to us in Commissioner's memo RC. D1/42429/2011-2 dt 30.04.2013. Aggrieved by the said order, we filed W.P NO: 40612/14, 38415/15 and 38429/15 with a prayer to issue suitable orders before the Honourable High court of Andhra Pradesh.

The Honourable High Court of Andhra Pradesh was pleased to issue orders with a direction to consider the representation made for appointment to the post of Executive Officer Grade II according to the seniority list dt 25-5-

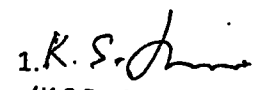
2011. A copy of the Judgement dt 30-12-2021 is here with submitted for kind perusal.

We further humbly submit that we have been hardly Striving to get on our families in these hard days. We have no other source of income to meet the daily requirements. We are entitled to get appointment as Grade-II Executive Officer by transfer of service with effective from 30-04-2013 as our junior K Rama Gopal Rao who was placed at S.L No: 62.

We [1. K S Prakash Rao (S.L No: 12), 2. P Laxmipathi Rao (S.L No: 11), 3. V V S Subrahmanyam (S.L No: 21), 4. K V Subrahmanyam (S.L No: 27), 5. Smt S Anatha Vijaya Laxmi (S.L No: 29) and 6. K Suryakantham (S.L No: 14)] humbly request that the Commissioner Endowments Department, Gollapu di, Vijayawada may kindly appointment us as Grade II Executive officer by transfer of service notionally and extend the benefits being given to our junior Sri K Rama Gopal Rao (S.L No :62) and issue order as early as possible.


Enclose: 2

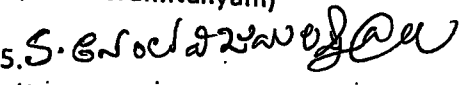
Yours's Obediently

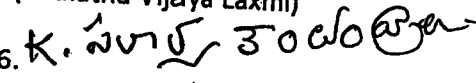
1. 
(K S Prakash Rao) 18/2/22

2. 
(P Laxmipathi Rao)

3. 
(V V S Subrahmanyam)

4. 
(K V Subrahmanyam)

5. 
(S Anatha Vijaya Laxmi)

6. 
(K Surya kantham)

N. SIVA REDDY, ADVOCATE
High Court of AP at Amaravathi
Mobile No: 98480 46200. sivareddy2969@yahoo.com

Date: 04-03-2022

To

The Commissioner,
Endowments Department,
Andhra Pradesh at Gollapudi,
Vijayawada – 521 225

Under the instructions of my clients, who are the petitioners in W.P.Nos. 40612 of 2014, 38415 of 2015 and 38429 of 2015 before the Hon'ble High Court of A.P. at Amaravathi, I am issuing this Contempt Notice.

The petitioners in W.P. No. 40612 of 2014 and the deceased 1st petitioners in W.P. Nos. 38415 & 38429 of 2015 have served the Endowments Department and retired as Senior Assistants. As their cases were not considered for notional promotion to the cadre of Executive Officer Grade – II in terms of their seniority in the cadre of Senior Assistants as per seniority list dated 25-05-2011 of Zone – II Kakinada as was done in the case of one Sri K. Ramagopala Rao, who was promoted as Executive Officer Grade – II after his retirement and who was junior to all the petitioners in the above mentioned writ petitions, my clients approached the Hon'ble High Court by filing Writ Petitions mentioned supra and the said writ petitions were disposed off by His Lordship Sri Justice K. Suresh Reddy by a common order dated 30-12-2021. The copy of the said order has already been received by Good self from the Registry of the Hon'ble High Court. The purport of the order is directing the Commissioner, Endowments to consider the representations of the petitioners for the appointment to



Contd...2...

Plot No. 27-E, Dcor No. 59A-4-13/1A,
P&T New Colony, 2nd left Line from Sai Baba Temple,
Maris Stella College Road, Vijayawada – 520 008, A.P.

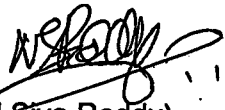
N. SIVA REDDY, ADVOCATE
High Court of AP at Amaravathi
Mobile No: 98480 46200. sivareddy2969@yahoo.com

::2::

the post of Executive Officer Grade – II according to the Seniority list dated 25-05-2011. Though the representations are pending since a long time, no orders are passed giving promotions to my clients. The inaction is nothing but flouting the orders of the Hon'ble High Court and the same is willful disobedience and attracts provisions of the Contempt of Courts Act, 1971.

You are called upon to consider the request of the petitioners positively and give notional promotions to my clients in terms of the Common Order Dated 30-12-2021 made by His Lordship Sri Justice K. Suresh Reddy in W.P.Nos. 40612 of 2014, 38415 of 2015 and 38429 of 2015 before the Hon'ble High Court of A.P. at Amaravathi. Else my clients are constrained to invoke the jurisdiction of the Hon'ble High Court conferred under the provisions of the Contempt of Courts Act, 1971.

Hence, this notice.


(N.Siva Reddy)
Counsel for the Writ Petitioners

**Plot No. 27-E, Door No. 59A-4-13/1A,
P&T New Colony, 2nd left Line from Sai Baba Temple,
Maris Stella College Road, Vijayawada – 520 008, A.P.**

Ref No. 2

V. S. CHALAPATHI RAO B.Com., B.L., PGADR
VOCATE & ARBITRATOR
II : 9849015458



. POOJITHA BSL, LLB
VOCATE
I : 9908481168

Head Office :
29-7-1, Prakasam Road,
Suryaraopel, Vijayawada - 520 002.
Phone : 0866-2432133, Fax : 2432134
E-mail : bvsraoadvocate@gmail.com
pbabbepalli@gmail.com

Branch Office:
Flat No. 103, Siri Enclave,
Beside Axis Bank
Srinagar Colony, Opp. S.B.I.
Hyderabad - 500073
Ph. 040-23743990

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Date: 24-5-2024

LEGAL NOTICE WITH RPAD

To
The Special Chief Secretary to Government, Revenue
(Endowments) Department,
Government of Andhra Pradesh, A P Secretariat,
Amaravathi.

Sir,

Sub: Letter of request to Notional appointment in the cadre of Executive Officer ,
Gr.II by transfer of service pending for the approval since 2014 vide
W.P.No.40612/2014 dt.13.12.2014 along with the common order passed by the
Hon'ble High Court dt.30-12-2021-reg.

It is humbly and respectfully submit that the Commissioner of Endowments sent the letter of request for concern for necessary action on the claim of the four persons namely 1) P.Lakshmipathi Rao 2) K.Surya Prakasa Rao 3) V.V.S.Subrhamanyam 4) K.V.Subrhamanyam who worked as Senior Assistants and also as Managers of the various temples since 30 years. They have also qualified the department exam and got the eligibility for Executive Officers as Gr-II.

The four persons went to the Hon'ble High Court and got the direction to implement as per the seniority vide order dt.30-12-2021 in W.P.No.40612/2014 and batch basing on the order of the Hon'ble High Court. The four persons submitted their representation and letter of request before the Commissioner of Endowments and also before the Special Chief Secretary to the Government, Revenue(Endowments), A.P Secretariat, Amaravathi along

(contd...2)

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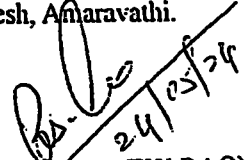
with the recommendation letters given by the Deputy Chief Minister of Endowments, Ex-Minister of Endowments Sri Vellampalli Srinivas Garu of Andhra Pradesh and also MLA Sri Malladi Vishnuvardhan garu from 3rd February, 2022. The Commissioner of Endowments submitted a letter of request to the Special Chief Secretary on 22.11.2023 and also 23.2.2024 with a request to give necessary orders to consider the above four persons who are in the seniority No.21 to 27 were expired erroneously and who are retired and alive till today.

It is further to submit that one Mr.P.Lakshmipathi Rao has filed a contempt petition before the Hon'ble High court of Andhra Pradesh, and the same is numbered as WP No.21626/2023 in the month of August, 2023. A copy of the Writ Petition is already served on the G.P of the Endowments and also the G.P of the Revenue of Andhra Pradesh in the month of August 2023. Since then the department has not filed any Memo of Appearance and counter affidavit and the same is pending.

It is further submit that the other three persons are also approached me to file the contempt case against the Government for not implementing the orders of the Hon'ble High Court in WP No.40621/2014 and batch dt.30.12.2021 for which you are held responsible and also liable to be submit your explanation before the Hon'ble High court. If you are failed to implement the orders of the Hon'ble High Court, which leads to the contempt of court.

It is further humbly request you and also advice you to look into the matter immediately after the receipt of this legal notice within 15 days, otherwise the above retired persons may compel me to file the contempt case along with WP No.21626/2023 for not implementing the orders of the Hon'ble High Court of Andhra Pradesh, Amaravathi.

Be pleased to consider and your reply is solicited.


(B.V.S.CHALAPATHI RAO)

Encl:

1. Copy of request letter dated 22.11.2023 from Commissioner (Endowments) Vijayawada regarding certain Retired Senior Assistants for notional appointment in the Cadre of Executive Officer, Gr.II by transfer of service.
2. Copy of letter from Commissioner of Endowments Department dt.23.2/2024
3. Copy of recommendation letter from Minister of Social Welfare addressed to Ex-Minis of Endowments.
4. Copy of letter representation letter by K.Surya Prakasarao to Deputy Chief Minister for Endowments, Government of Andhra Pradesh.

~~CONFIDENTIAL~~ Wear Masks. Stay Safe.

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**Office of the Commissioner,
Endowments Department, A.P., Amaravati
at Gollapudi, Vijayawada (R).**

Rc.No.E2/COE-15021/279/2020, Dt:15 -02-2022.

Sub : Endowments Department - Executive Officers -
Establishment - Certain Retired Temple Senior Assistants
filed W.P.No. 40612 of 2014, 38415 & 38429/2015 - Seeking
directions for appointment of transfer of service as to
Executive Officer Grade-II - Examined - Rejected - Orders -
Issued.

- Ref :** 1. Representation Dt:28-11-2014 of Sri K.S.Prakasa Rao,
Retired temple Senior Assistant.
2. Representation Dt:08-12-2014 of Sri P.Lakshmipathi Rao,
and 3 other Retired temple Senior Assistants.
3. Representation Dt:06-01-2015 of Sri P.Lakshmipathi Rao,
and 3 other Retired temple Senior Assistants.
4. Government Memo No. 1215/Endts- I (2)/2015-1, Dt: 21-
01-2015.
5. Government Memo No 2104/Endts-I(2)/2015-1, Dt: 29-
01-2015.
6. Government Memo No. 2834/Endts-I(2)/2015-1, Dt:06-
02-2015.
7. Computer No.347365/2021, Dt:04-02-2021 from the
Deputy Commissioner, Endowments Department,
Kakinada.
8. Common Order Dt:30-12-2021 of the Hon'ble High Court
in W.P.Nos:40612/2014 and 38415 & 38429/2015.
9. Representations Dt:09-11-2020 & 03-02-2022 of Sri
K.S.Prakasa Rao & (5) others (Retd) Temple Junior
Assistants of Zone-II.

@@@

Sri K.S.Prakasa Rao, Senior Assistant (Retired), Sri P.Lakshmipathi Rao,
Senior Assistant (Retired), Sri V.V.S.Subramanyam, Senior Assistant (Retired),
and Sri K.V. Subramanyam, Senior Assistant (Retired) filed W.P.No.40612/2014,
Sri S.Gopala Narsa Raju, Retired filed W.P.No.38415/2015 and
W.P.No.38429/2015 before the Hon'ble High Court. The Hon'ble High Court in its
orders Dt:13-12-2014 in W.P.M.P.No. 50913/2014 in W.P.No. 40612/2014 and
38415 & 3849 of 2015 has issued Common final Order Dt:30-12-2021 is as
follows.

*"Learned counsel for the petitioners in all the three writ
petitions submit that they would feel satisfied if these writ petitions
are disposed of by directing the Commissioner of Endowments,
Andhra Pradesh-respondent No. 2 to consider and dispose of the
representations made by the petitioners for appointment to the post of
Executive Officer, G-II, according to the seniority list Dt: 25-05-2011.*

*In view of the short submission made and innocuous relief
claimed, it will be futile to keep these writ petitions pending and the
same are, therefore, disposed of by directing the Commissioner of
Endowments, Andhra Pradesh-respondent No. 2 to consider and*

dispose of the representations made by the petitioners for appointment to the post of Executive Officer, Grade-II, according to the seniority list dated 25-05-2011 and in accordance with the Rules governing promotions, as expeditiously as possible and in any event not later than two months from the date of receipt of a copy of this order.

Pending miscellaneous applications, if any, shall stand dismissed in consequence. No costs."

While enclosing the above orders of the Hon'ble High Court, the applicants in the above three W.Ps has submitted representation in the reference 8th cited requesting to consider their cases for appointment to the post of Executive Officers Grade-II by transfer of service notionally and extend the benefits being given to their Junior Sri K.Rama Gopala Rao, who stands at Sl.No.62.

In view of the above, it is informed that, as per the seniority list of temple Senior Assistant Dt:25-05-2011, the following are the service particulars and seniority position of temple Senior Assistant who filed W.P.

Sl. No	Name	Date of Birth	D.O.R	Sl.No. in Seniority list
1.	Sri P.Lakshmi pathi Rao	01-07-1953	30-06-2011	11
2.	Sri K.S.Prakasa Rao	15-11-1954	30-11-2012	12
3.	Sri Rama Krishna	01-06-1954	30-05-2012	14
4.	Sri V.V.S. Subramanyam	14-08-1955	31-08-2013	21
5.	Sri K.V. Subramanyam	30-01-1956	31-01-2014	27
6.	Sri S.G. Narasa Raju	30-10-1953	30-10-2011	29
7.	Sri Rama Gopala Rao	13-06-1954	30-06-2012	62

The following are the vacancy position of Executive Officer, Gr-II as on March-2014 and the clear cut vacancies of earmarked quota of feeder categories.

Cadre - 96.
Strength

Working - 58

Vacancies - 38 Temple Senior Assistants Quota - 2
Department Senior Assistant Quota - 1
Executive Officer Grade - III Quota - 35

Out of the (35) vacancies of Executive Officer Gr-II earmarked to the Executive Officer, Gr-III, as many as (2) Executive Officer Gr-III were promoted as Executive Officer, Gr-II Vide this office Proceedings in Rc.No. D1/2047/2014, Dt:11-03-2014. In the above said orders Smt V. Nage Jyothi, Senior Assistant and Sri A.Satya Vardhanan Rao, Senior Assistant, who stands at Sl.No.7 and 10 in the seniority list Dt:25-05-2011 and seniors to the above individuals were appointed by transfer of service as Executive Officer, Gr-II on 11-03-2014. As on that date, the individuals were retired from service and the quota of temple Senior Assistant for appointment by transfer of service as Executive Officer, Gr-II were already exhausted.

Further, it is informed that, Sri K.S.Prakasa Rao, Senior Assistant (Retired), Sri P.Lakshmipathi Rao, Senior Assistant (Retired), Sri V.V.S.Subramanyam, Senior Assistant (Retired), and Sri K.V. Subramanyam, Senior Assistant (Retired) filed W.P.No.40612/2014, before the Hon'ble High Court. The Hon'ble High Court is its orders Dt:13-12-2014 in W.P.M.P.No.50913/2014 in W.P.No.40612/2014 has issued Interim orders as follows:

"There shall be interim directions to the respondents to consider and dispose of the representation dt. 24.11.2014 & 08.12.2014 for appointment to the post of Executive Officer Grade-II, according to the seniority list dt. 25.05.2011 and in accordance with the Rules Governing promotions with in a period of two months from the date of receipt of a copy of this order"

Accordingly, the applicants in W.P.No.40612/2014 and two others has submitted representations requesting to consider their cases as Executive Officer, Gr-II by transfer of service, and the same were examined and rejected vide this office proceedings in R.C.No.E2/28511/2014-I & II, Dt:28-05-2015.

Further, the applicants in W.P.No.40612/2014 has filed C.C.No.862/2015 for non implementation of above interim orders and the said C.C was closed vide orders Dt: 23-11-2015 in C.C.No.862/2015 as follows:

"Since the order Dt:28-05-2015 was passed by the respondent rejecting the representation of the petitioner, no cause survives for adjudication in this contempt case. Hence, the Contempt Case is closed miscellaneous petitions pending if any, shall stand closed. No costs."

Further, it is informed that, previously, except Sri V.V.S.Subramanyam, Retired Temple Senior Assistant, another (5) applicants in W.P.No. 40612/2014 and (2) others have filed O.A's before the Hon'ble A.P. Administrative Tribunal and the A.P. Administrative Tribunal has issued directions to dispose of the representations filed by them and accordingly their request for appointment by transfer of service as Executive Officer, Gr-II were rejected. The following are the details of O.A's and rejection orders issued by this office proceedings.

Sl. No	Name of the Employee	O.A.No.	This Office Proceedings No. & Date
1.	Sri P.Lakshmipathi Rao, Retired Temple Senior Assistant	5376/2011	D1/22586/2011, Dt.19-08-2011.
2.	Sri K.S.Prakasa Rao, Retired Temple Senior Assistant	1. 2630/2011	D1/21823/2011, Dt:17-11-2011.
		2. 9483/2011	D1/10609/2013, Dt:30-03-2013.
3.	Sri K. Rama Krishna, Retired Temple Senior Assistant.	5485/2009	D1/19668/2009, Dt:15-07-2009.
4.	Sri K.V.Subramanyam, Temple Senior Assistant	361/2014	D1/4182/2014
5.	Sri G. Narasa Raju, Retired Temple Senior Assistant	8233/2011	D1/38588/2011, Dt:22-07-2012.

Further, it is informed that, the Deputy Commissioner, Endowments Department, Kakinada has Communicated the Seniority list of Temple Senior Assistant of Zone-II, wherein the name of Sri K. Ramagopala Rao, Temple Senior Assistant shown at Sl.No.62 taking in to consideration of passing of Departmental Tests i.e., 07-02-2008 instead date of promotion as Senior Assistant 01-04-1991. Aggrieved by the above seniority list of Temple Sr. Assistants, he filed O.A.No.4051/2012 before the Hon'ble High Court of Andhra Pradesh Administrative Tribunal and the Hon'ble High Court in its orders Dt:13-06-2012 in O.A.No.4051/2012 has passed the following orders:

"Pending disposal of the O.A., the respondent No.1 is directed to consider the case of the applicant for appointment to the post of Executive Officer, Gr-II by transfer from the post of Senior Assistant in the existing vacancy, as per Rules, eligibility, suitability and if he comes within the zone of consideration and also keeping in view of the orders granted by the Hon'ble High Court in W.P.M.P.No.33572/2011 in W.P.No.27188/2011, Dt:29-09-2011 and pass appropriate orders, within a period of (10) days from the date of receipt of a copy of this order."

The request of the above applicant for appointment by transfer of service as Executive Officer, Gr-II, duly counting his seniority as Senior Assistant w.e.f. 01-04-1991 was rejected vide this office proceedings No.D1/23116/2012, Dt:16-08-2012 and the efforts made by the Department for vacating the interim orders has been not materialized. In the mean while the above individual filed C.A.No.944 / 2012 in O.A.No.4015/2012. To avoid contempt proceedings the request of the applicant for appointment to the post of Executive Officer, Gr-II by taking into consideration of the date of promotion as Senior Assistant as 01-04-1991 was considered vide this Office D1/42429/2011-2, Dt:30-04-2013. After producing the above orders, the Hon'ble Andhra Pradesh Administration Tribunal has issued orders Dt:24-08-2012, in C.A.No.944/2012 in O.A.No.4015/2012 is as follows:

"The counsel for the applicant submits that the respondents have passed speaking orders."

In view of this, the interim orders passed by this Tribunal have been complied with by the respondents. Therefore, no further enquiry is required to be conducted in the CA."

Hence, the contemnors are discharged from the contempt and the CA is closed."

Sri K. Rama Gopala Rao was promoted as Senior Assistant on 01-04-1991, where as the applicants in subject W.P. were promoted as Senior Assistants in the years, 1993 & 1997 respectively. As such Sri K. Rama Gopala Rao is senior to the applicants in this issue. They cannot claim for appointment by transfer service as Executive Officer, Gr-II over and above him.

The case of the applicants in W.P.No.40612/2014, 38415/2015 & W.P.No.38429/2015 is irrelevant to the case of Sri K. Rama Gopala Rao in W.P.No.4015/2012.

In the circumstances narrated supra, the claim of the applicants for appointment as Executive Officer, Gr-II by transfer of service was examined

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number of times and now also examined in detail carefully and after due consideration their request is hereby rejected.

They are specifically informed that their further representations will not be entertained.

(By Oder of the Commissioner)

Sd/-T. Chandra Kumar,
Additional Commissioner.

//f.b.o.//


Superintendent

To

1. Sri P. Lakshmipathi Rao, Retd., Temple Sr. Assistant (Through Sl.No.7)
2. Sri K.S.Prakasa Rao, Retd., Temple Sr. Assistant (Through Sl.No.7)
3. Sri V.V.S.Subramanyam, Retired Temple Sr. Assistant (Through Sl.No.7)
4. Sri K.V.Subramanyam, Retired Temple Sr. Assistant (Through Sl.No.7)
5. Smt S. Anantha Vijaya Lakshmi, W/o Late Sri S.G. Narasa Raju, Retired Temple Sr. Assistant (Through Sl.No.7)
6. Smt K. Suryakantham, W/o Late K.Sri Rama Krishna, Retired Temple Sr. Assistant (Through Sl.No.7)
7. Copy to the Assistant Commissioner, Endowments Department, Rajamahendravaram (He is requested to serve the intended copies to the above individuals by obtaining acknowledgement and submit to this office for record)
8. Copy to the Deputy Commissioner, Endowments Department, Kakinada.
9. Copy to the Regional Joint Commissioner, Endowments Department, MZ-I, Rajamahendravaram, East Godavari District.
10. Extra.



MM6953 5514IN IVR:8278695305314 India Post
RAMACHANDRAPURAM H.O <533255>

Per No:1,21/07/2022,14:05

To:THE HONBLE PR. ENDOWMENT AP SEC

PIN:522020, Amaravathi S.O

From:P LAKSHMIPA, LALITHA NAGAR

Wt:25gms

Amt:27.00(Cash)

<Track on www.indiapost.gov.in>

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GOVERNMENT OF ANDHRA PRADESH
ENDOWMENT DEPARTMENT
THE PRINCIPAL SECRETARY ENDOWMENTS
VELEGAPUDI SECRETARIAT

APPEAL-2

Present: The Hon'ble Principal Secretary for Endowments,
Andhra Pradesh, Endowments Department
Amaravathi, Velagapudi, Andhra Pradesh.

P. LAKSMIPATHI RAO,
S/o. Ramakrishna Sarma,
Retired Senior Assistant
Endowments Department
Ramachandrapuram,
East Godavari District and
Others.

- 1)KS. Prakasa Rao, Retired Sr. Assistant,
- 2)V.V.S. Subrahmanyam, Retired Sr. Assistant,
- 3) K.V. Subramanyam, Retired Sr. Assistant,
- 4) Smt. S. Anantha Vijaya Lakshi,
W/o. (late) Gopala Narasa Raju
- 5). Smt. K. Surya Kantam,
W/o (Late) Sri Rama Krishna,
Retired Sr. Assistant,

Applicants/Petitioners/
Respondent, The
Commissioner,
Endowments Department,
Gollapudi, Vijayawada.

**Appeal: Against the Rejected Order dated 15.02.2022 by the
Commissioner, Endowments Department, Gollapudi, Section 92/Act
30/87, Endowments.**

Respected Sir,

Sub: we retired in service in endowments Department as Temple senior
Assistants – Non Sanction of Pension to us through High court Orders in
W.P.No.40612/2014, W.P.No.38415/2015 and w.p.No.38429/2015,
dated 30.12.2021 in our favour – non permission of notional
promotion Rejected the High Court order by the Commissioner,
Endowments Department, Gollapudi in R.C.No.E2/COE-
15021/279/2020, dated 15.02.2022 – Set aside the Rejected order –
Order notional promotion to us to avail pension – Reg.

Ref: 1) Orders of the Hon'ble High Court of Andhra Pradesh in W.P.No.40612/2014, P.W.No.38415/2015 and W.P.No.38429/2015, dated 30.12.2021 by the Hon'ble justice Sri K. Suresh Reddy.

2) Final Seniority List of Senior Assistants, Temple Employee in Zone-II, Kakinada Division dated 25.05.2011.

3) Computer No.347365/2021, dated 04.02.2021 from the Deputy Commissioner, Endowments Department, Kakinada.

4)U.O. Note Guidelines for promotion and Preparation of Seniority List by the Commissioner, Endowments Department, Hyderabad in R.C.No.D2/751m dated 10.02.2011,

5) COMMON ORDER: The Honourable Justice sri NOOTY Rama Monaha Rac IN WRIT PETITON Nos27188, 22035, 27150,24506, 28657, 30099, 32084 of 2011, 18652 of 2012 and 10738 of 2013 follow the Judgment rendered by the division Bench of this High Court of Andhra Pradesh Hyderabad in aforementioned Chadavada Koteswara Rao's case 2002 (1) ALD 537 (DB).

6) Juniors Appointment Proceedings

(a) In RC No.E2/3490/2015, dated 18.08.2015 of the Commissioner, Endowments Department, Gollapudi, which is SI.No.17,

13,19,20,22,23,24,25,30,32,36,37,39,42,46,52,53,54,59,63,64,65,69, 74,75 ,87,93,98, 102, as per Seniority List dated 25.05.2022.

Junior Appointment Proceedings.

a) InR.C.No.E2/3490/2015-30, dated 03.08.2015 of Sri G.S. Ramesh, and

Sri Seetharamayya SI. No.98,26 in Seniority List dated 25.05.2011.

b) InR.C.No.E2/3490/2015-27dated 03.08.2015 of K. Srinivasa Raju, SI No.80in Seniority List 25.05.2011.

c) Commissioner (E) Memo No.D1/42429/2011, dated 30.04.2013 of Sri K. Rama Gopal, Retired Senior Assistant, SI.No.62 in Seniority List dated 25.05.2011 as promoted Grade-II, E.O., after retirement.

d) K.V. Subba Raju. SI.No.105,in Seniority List dt.25.05.2011 appointed as EO Grade II.

We the undersigned (1) K.S. Pakash Rao Retired Senior Assistant. (2) P. Laksmipathi Rao, Retired Senior Assistant (3) V.V.S Subrahmanyam, Retired Senior Assistant (4) K.V. Subrahmanyam,

Retired Senior Assistant (5) Smt. S. Anantha Vijaya Lakshmi, W/o. Deceased Retired Senior Assistant Late Sri. Gopala Narasa Raju, and (6) Smt. K. Suryakantham, W/o. Deceased Retired Senior Assistant Late Sri K. Rama Krishna, submits that we worked as Senior Assistants in different institutions and retired on attaining the age of superannuation subsequently, while we were working as Senior Assistants, the Deputy Commissioner, Endowments Department, Kakinada was pleased to communicate the seniority List dated 25.05.2011 of Zone-II Kakinada division in R.C. No.D4/14898/2010, dated 25.05.2011, Copy of Seniority List dated 25.05.2011 is herewith submitted for kindly perusal, in the said Seniority List our names were placed at SI. No.11, SI.No.12, SI No.14, SI No.21 and SI. No.26,SI.No.29 while so one Sri K. Ram Gopal Rao who was placed at SI. No.62 was appointed as after retirement Grade-II, Executive officer by Transfer of Service, even though he was junior to us in commissioner's Memo No.D1/42429/2011, dated 30.04.2013 aggrieved by the said order, we filed W.P.Nos.40612/2014, 38415/2015 and 38429/2015 with a prayer to issue suitable orders before the Honourable High Court of Andhra Pradesh.

2. The Honourable High court of Andhra Pradesh was pleased to issue orders with a direction to Respondent No.2 consider the representation made for appointment to the post of Executive officer Grade-II according to the Seniority List dated 25.05.2011 A copy of judgement dated 30.12.2021 is herewith submitted for kind perusal.

3. We further humbly submitted that we have been hardly Striving to get on our families in these hard days. We have no other source of income to meet the daily requirements. We are entitled to get appointment as Grade-II, Executive office by transfer of service with effective from 2002 year notionally as our Junior K. Rama Gopal Rao who was placed at SI.No.62 and over SI.No.11,12,14,21,27,29.

4. We (1) K.S. Prakash Rao (SI.No.12), (2) P.Lakshmipathi rao, (SI.No.11);

(3) V.V.S.Subrahmanay, (SI.No.21) (4) K.V.Subrahmanyam, (SI.No.27) (5) Smt. S.Anantha Vijay Laxmi (SI.No.29) and (6) Smt. K. Suryakantam (SI.No.14), humbly request you sir, please kindly set-aside the illegal Rejected Order in R.C.No.E2/COE/2051/279/2020, dated 15.02.2022 by the Commissioner, Endowments Department, Gollapudi, and Appointed us as Grade-II Executive Officer by transfer of Service Nationally and Extend the Retirement Benefits w.e.f. from 2002 and issue orders early as possible.

The following information given in writing point wise page for kind presel against the rejected order Dt.15.02.2022 of Commissioner, Endowments.

1) In page 2:- The commissioner agreed the K. Rama Gopal, Retd. Sri. Assistant in Seniority List serial number 62 that's why he is Junior than petitioners.

2) The then commissioner filed counter affidavit in W.F.No.27188/2011 in Para No.13 Dt.13th day of July 2012. The then Commissioner says the K.Rama Gopal Retd. Sr. Assistant is promoted on conditional i.e, he must passed the Department Tests within two years but the Rama Gopal Department Tests SOI passed in 2008, as UO Note in R.C.No.D2/751/2011 Dt.10.02.2011 guidelines issued by the commissioner for Promotions, the Rama Gopal Stand SI.No.62 in serenity list prepared by the Dy. Commissioner on 25.05.2011. Hence Rama Gopal is junior than petitioners. The another matters is the Rama Gopal filed W.P.No.27188/2011 and other W.P.No.22035, 27150,24506, 28657,30099,32084 of 2011 18652 of 2012 and 10738 of 2013 Common order final order the Hon'ble Sri. Justice Nooty Rama Mohan Rao given final order on G.O.Ms.No.888 Dt.8.12.2000, follow the Chadavada Koteswara Rao, case in support of the claim judgment on GC 888 dt.08-12-2000 the Rama Gopal Retd. Sr. Assistant the interium order given by Sri Justice L. Narasimha Reddy is dismissed by the division bench, the Judgment, copy received by the commissioner office, but not the informer Notice to the then

Commissioner, mislead by the subordinate officers as per the judgment on 5.7.2013, the K. Rama Gopal appointment Grade-II on 30-04-2013 before judgment. So is not valid and not senior than the petitioners. He is Junior according to the judgment common order the above judgment by the High Court, the ^{O.P.} A.O. order K. Rama Gopal as Sr. Assistant is not valid. Because the High court is Supreme. Hence the Ram Gopal promoted on 1.4.91 as Sr. Assistant is not correct his serenity count from 2008 and Serial No.62 in seniority list is correct that's why he is junior then the petitioners. The K. Rama Gopal appointed on 30.4.86 as on Jr. Assistant. He is promoted on 1.4.91 as a Sr. Assistant according to G.O.Ms.No.1478 Jr. Assistant to Sr. Assistant promotion period 5 years. The Rama Gopal Service is below the 5 years service i.e, 01.11.04 (4 years eleven months and one day) and another defect He got conditions promotion no fulfil. The authorities of Endowments Department Humanity ground K.Rama Gopal as a Sr. Assistant he passed Department Test on 2008. Hence his serenity count 2008 SL No.62 without reversion as Jr. Assistant. The petitioners are appoint before 1985 years as Jr. Assistant's hence the K. Rama Gopal is Junior in Jr. Assistant and Sr. Assistant than the petitioners.

3) In O.A. 4051/2012 filed by the K. Rama Gopal is not valid but the rejected order dt.5.2.2022 O.A.No.4051/2021 instead by 4015/2012 wrongly write the case in irrelevant is not correct page No.4 last sentence.

4) In page No.3:- The O.A. is filed by the petitioners O.A. No.5376/2011, 2630/2011, 9482/2011, 5485/2009, 361/2014, 8233/2011 is filed before the A.P. Tribunal the petitioner filed O.A. is they are in Service not after retirement. The O.A is in closed and the Tribunal suggested to filed fresh O.A's. hence the petitioner approach the High Court for Justice.

5) In page No.3:- R.C.No.E2/28511/2014-I & II Dt.28.5.2015 the commissioner rejected the interim order in W.P.M.P.No.50913/2014 in W.P.No.40612/2014 the rejected order intimate the individual of petitioner. But not filed the court affidavit counter in

W.P.No.40612/2014. The commissioner or authorities are not filed counter and present in the date of adjournment, only the G.P. is present, in this matter the justice Sri. K. Suresh Reddy question the G.P. The interium orders rejected without filed the counter affidavit in W.P.No.40512/2014, why not take sumoto the case on the commissioner Endowments. The commissioner no right to reject the interium order without filed of counter affidavit in writ petition. Hence the rejected order passes in the Endowment Authority is not correct.

In para No.2:- The quota of temple Senor Assistant is exhausted is not correct. Before retirement of the petitioner. The vacant position of Sr. Assistant Grade-II E.O. are getting the information as on 06.07.2011 the II-Grade E.O. post vacant is 69 posts as RTI Application copy enclosed.

(b) In this connection as on March, 2014 we filed as suit W.P.No.40612/2014 on 29.12.2014 while pending the vacant posts of Grade-II E.O.'s is filled on 03.08.2015 - 35 posts they are all juniors than petitioners. 35 posts the Commissioner in Letter No.D1/40147/2008 Dt.18.06.2010 report to the Govt. to fill up the II-Grade E.O.'s posts by the then Manager of Sr. Assistant Proposed send the Govt. before the petitioner retirement. Hence the vacancy position is in rejected order is not correct.

(C) In the mean while the Deputy commissioner, Kakinada in computer No.395444/2021 Dt.4-12-2021 the vacancy position of Grade-II E.O.'s in 74 working out of cadre strength 96. The vacancy position is 26 posts are vacant in Grade-II E.O.'s posts. Hence the financial position of Endowments Administration Fund is good.

We request the Endowment Minister and Principal Secretary please kindly verify the above point wise and justice fully consider the petitioners request and honour the High Court Judgment and give the promotion grade II, national by Transfer of service as per the Serenity List Dt.25.05.2011. the petitioner are old age they are rendered 30 years service they are not live without pensior, out of 6petitioners, two petitioner namely (1) K. Rama Krishna (2) S.G.

Narsaraju are died due to Covid-19 disease. Hence humanities ground the Petitioner request to consider and implement the court judgment and set-aside the rejected Order dated 15.02.2022 of the Commissioner as early as possible.

In Reference No.3: The Deputy commissioner endowments, Kakinada stated in his remarks the Justification report vide computer No.347365/2021, dated 04.02.2021, the K.Rama Gopal, Rtd., Sr.Assistant, Sl.No.62, whereas the petitioner Sl.No.11, 12, 14, 21, 27, 29 in Seniority list dated 25.05.2011. thus the K.Rama Gopal is Junior than the Petitioners.

Finally the petitioners are requested to set-aside the rejected order of the Commissioner, Endowments Department, Gollapudi and to appoint them as G-II E.Os., notionally by the transfer of service with effect from 2002. With all retirement benefits as early as possible.

Yours obediently

- 1) P. Lakshmi patil
- 2) K. S. Chandra
- 3) V. V. S. S.
- 4) K. M. S.
- ✓ 5) Kom Pella Suresh Kumar
- 6) S. B. S. S.

APPELLANTS/PETITIONERS

(6)

GOVERNMENT OF ANDHRA PRADESH
REVENUE (ENDOWMENTS-I) DEPARTMENT

Memo No.ENDW/310/Endts.I(2)/2022

Dated:15/12/2022

Sub:- Endowments Department - Estt. - Appeal petition filed by Sri P.Lakshmipathi Rao, Rtd. Senior Assistant, Endts. Dept., Ramachandrapuram and (3) others under section 93 of Act 30 of 1987 - examined- appeal rejected - orders issued:

Ref:- 1.Appeal petition filed by Sri P.Lakshmipathi Rao, Rtd. Senior Assistant, Endts. Dept., Ramachandrapuram and (3) others .
2. Govt. Memo No.ENDW/310/Endts.I(2)/2022 , dated 21-10-2022.

In the reference 1st cited, Sri K.S.Prakasa Rao, Sri P.Lakshmipathi Rao, Sri V.V.S.Subramanyam and Sri K.V Subramanyam, Retired Senior Assistants who worked in Hindu Religious and Charitable Institutions have filed a Revision Petition under section 93 of A.P.C.H.R.I & Endowments Act 30 of 1987 wherein prayed that to call for records pertaining to Memo. No.Rc. No. E2/COE- 15021/279/2020, dated 15-02-2022 passed by the 1st Respondent /Commissioner, and to set-aside the same, and requested to appoint them as Executive Officer, Gr-II by transfer of service notionally with retirement benefits w.e.f 2002 and pass such other orders.

2. In the reference 2nd cited, the Commissioner of Endowments was requested to attend the hearing on 01.11.2022 along with connected records and requested to inform to the appellants.

3. Heard the claim of the petitioners for a direction for appoint them as Executive Officer, Gr-II by transfer of service notionally with retirement benefits w.e.f 2002. The applicants four in number were worked as temple employees and retired from service long back in the years 2011 to 2014. As such, their claim for notional appointment as Executive Officer, Gr-II by transfer of service, after their retirement is not tenable since it is not a promotion. The case of the applicants is that they submitted representations by enclose copy of common order dt.30.12.2021 in W.Ps filed by them to consider their case for appointment (notionally) to the post of E.O., Gr-II by transfer of service and extend the benefits being given to K. Ramagopala Rao who stands at Sl.No.62 in the seniority list of senior assistants of Zone-II, whereas, they stood at Sl.Nos.11,12,21 & 27 in the said seniority list.

4. The version of the Commissioner of Endowments is that K.Ramagopala Rao, temple senior assistant was placed at Sl.No.62 in the seniority list of temple senior assistants of Zone-II by taking the date of passing of departmental tests i.e., 07.02.2008 into consideration, instead of date of promotion as senior assistant i.e., 01.04.1991. Aggrieved by the same he filed O.A.No.4051/2012 before A.P.A.T and the Hon'ble Tribunal was pleased to grant interim order on 13.06.2012 in O.A.No.4051/2012 that

"pending disposal of O.A., respondent No.1(therein) is directed to consider the case of the applicant for appointment as E.O., Gr-II by transfer of service in the existing vacancy as per rules, eligibility, suitability and if he comes within the zone of consideration and also keeping in view of orders granted by Hon'ble High Court in W.P.M.P.No.33572/2011 in W.P.No.27188/2011, dt.29.09.2011."

K.Ramagopala Rao filed C.A.No.944/2012 in O.A.No.4015/2012. To avoid contempt proceedings, the request of the applicant i.e., K.Rajagopala Rao was considered under special circumstances and the same was

Whereas, the applicants herein were promoted as senior assistants in the years 1993 & 1997 respectively and as such K.Ramagopala Rao is seniority to the applicants and thereby applicants are not entitled for notional appointment as E.O., Gr-II by transfer of service as the posts of E.O., Gr-II were already exhausted.

5. After hearing both sides and on examination of record, a temple junior assistant has to pass the Accounts Test for Sub-ordinate officers Part-I to get eligibility for promotion as senior assistant or he should pass the test while on probation as per existing rules issued under G.O.Ms.No.888, Revenue (Endowments-I) Department, dt.08.12.2000. The same is also upheld by the Hon'ble High Court in its order in W.A.No.1434/2004, dt.22.08.2006. With this background if the case of the applicants are considered, their seniority in the post of senior assistant will be counted only from the date of passing departmental tests but not from the date of their appointment as senior assistants. The same analogy has to be considered in the case of K.Ramagopala Rao but in view of interim orders of A.P.A.T and to avoid contempt case the then Commissioner has issued orders dt.30.04.2013 appointing him notionally as E.O., Gr-II. The said order should be subject to result of O.A.No.4015/2012 by A.P.A.T. A bad precedent considered in the case of K.Ramagopala Rao cannot be taken into consideration for the claim of the applicants.

6. In view of the above, there are no good grounds to consider this appeal to order notional appointment as E.O., Gr-II by transfer of service to the applicants four in number who were retired from temple service in the years 2011 to 2014 by set aside the rejection orders of the Commissioner. Therefore, the appeal is dismissed by confirming the orders of Commissioner of Endowments.

7. The Commissioner of Endowments is directed to re-examine the issue of K.Ramagopala Rao after giving notice to him in respect of his appointment as E.O., Gr-II by transfer of service notionally by taking into consideration of result in O.A.No.4015/2012 on the file of A.P.A.T. He is further directed to call for explanation from the concerned in Head Office for not put-up note to review the appointment of K.Ramagopala Rao after disposal of O.A.No.4015/2012 by A.P.A.T till now.

8. The Commissioner of Endowments, A.P., Vijayawada shall take necessary action accordingly.

Dr. M. HARI JAWAHARLAL
PRINCIPAL SECRETARY TO GOVERNMENT(FAC)

To
The Commissioner of Endowments, A.P., Vijayawada.
Sri K.S.Prakasa Rao, Sr. Asst. (Retd). (through CED).
Sri P.Lakshmipathi Rao, Sr. Asst. (Retd). (through CED).
Sri V.V.S.Subramanyam, Sr. Asst. (Retd). (through CED).
Sri K.V. Subramanyam, Sr. Asst. (Retd)(through CED).

Copy to:

Government Pleader for Endowments Department, Hon'ble High Court of A.P.,
Amaravati.

P.S. to Deputy C.M. & M (Endowments).
P.S. to Prl. Secy. (Endowments).

Sf/Sg.

//FORWARDED :: BY ORDER //


SECTION OFFICER

1729628

GOVERNMENT OF ANDHRA PRADESH
ENDOWMENTS DEPARTMENT

(4)

From
S. Satyanarayana, I.A.S.,
Commissioner,
Endowments Department,
A.P., Gollapudi, Vijayawada (R).

To
The Special Chief Secretary
to Government,
Revenue (Endts-I) Department,
A.P., Secretariat, Amaravati.

Lr.in Rc.No. E2/COE-15021/279/2020, Dt: 26/10/2023.

Sir,

Sub : Endowments Department – Executive Officers – Establishment –
Certain retired Senior Assistants of East Godavari District – Request
for Notional appointment in the cadre of Executive Officer, Gr-II by
transfer service– Factual Report submitted – Reg.

- Ref :** 1. This Office Rc.No.E2/COE-15021/279/2020, Dt:15-02-2022
2. Government Memo No.Endw/310/Endt-I(2)/2022, Dt:15-12-2022
3. Endt.No.299/Dy.CM(Endowments)/2023, Dated: 15.03.2023 of the
Hon'ble Deputy Chief Minister for Endowments, Government of
AP.
4. Endt No.1080/2023, Dt:12-09-2023 on the representation of Sri K.S.
Prakasa Rao, Retired Senior Assistant.
5. This office Rc.No E1/COE-15021/279/2020, Dt: 06-10-2023.

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Kind attention is invited to the references cited. In the reference 4th and 3th
cited, Sri K.S.Prakasa Rao and Sri P.Lakshmipathi Rao have represented to
issue notional promotion as Executive Officer, Gr-II for appointment by transfer
of service on par with Sri K.R. Gopala Rao and to sanction Pensionary benefits
to them.

In this connection it is submitted that the Deputy Commissioner,
Endowments Department, Kakinada communicated the Seniority List of Senior
Assistants of Zone-II vide Rc.No.B4/14898/2010, Dt. 25.05.2011, wherein the

name of Sri K. Ramgopala Rao was shown at Sl.No.62 taking in to consideration of passing of Departmental Tests i.e., 07-02-2008 instead of date of promotion as Senior Assistant 01-04-1991, considering the fact that passing of Departmental Tests is mandatory for promotion of Junior Assistant to Senior Assistant.

Aggrieved by the Seniority List Sri K. Ramgopala Rao filed O.A.No.4051/2012 before the Andhra Pradesh Administrative Tribunal and the Tribunal in its orders Dt:13-06-2012 passed the following orders:

"Pending disposal of the O.A., the respondent No.1 is directed to consider the case of the applicant for appointment to the post of Executive Officer, Gr-III by transfer from the post of Senior Assistant in the existing vacancy, as per rules, eligibility, suitability and if he comes within the zone of consideration and also keeping in view the orders granted by the Hon'ble High Court in W.P.M.P.No.33572 of 2011 in W.P.No.27188 of 2011, Dt.29-09-2011 and pass appropriate orders, within a period of ten days from the date of receipt of a copy of this orders."

While the matter stood thus, Sri K.S. Prakasa Rao, Sri P. Lakshmi pathi Rao, Sri V.V.S.Subrahmanyam and Sri K.V. Subrahmanyam Retired Senior Assistants filed W.P.Nos. 40612 of 2014 and 38415 & 38429 of 2015 and the Hon'ble High Court passed the following orders:

"To consider and dispose the representations made by the petitioners for appointment to the post of Executive Officer, Gr-II, according to the seniority list Dt:25-05-2011 and in accordance with the Rules governing promotions, as expeditiously as possible and in any event not later than two months from the date of receipt of a copy of the order."

Pending miscellaneous applications, if any, shall stand

dismissed in consequence. No costs."

While enclosing copy of the orders of the Hon'ble High Court, the applicants in the (3) Writ Petitions submitted representations, to consider their cases for appointment to the post of Executive Officer, Gr-II by transfer of service notionally and to extend the benefits being given to their Junior Sri K. Rama Gopal Rao who stand at Sl.No.62.

While examining the whole issue, detailed orders were issued vide Rc.No.E2/COE-15021/279/2020, Dt:15-02-2022 stating that Sri K. Ram Gopala Rao was promoted as Senior Assistant on 01-04-1991 where as the applicants were promoted as Senior Assistants in the year, 1993 to 1997 respectively. As such Sri K. Ramagopala Rao is senior to the applicants in this issue. They cannot claim for appointment by transfer of service as Executive Officer, Gr-II over and above him.

And that the case of the applicants is W.P.No.40612/2014, 38415/2015 & W.P.No.38429/2015 is irrelevant to the case of Sri K. Ramagopala Rao in W.P.No.4015/2012 and accordingly the claim of the applicants for appointment as Executive Officer, Gr-II by transfer was examined in detail and the representation was rejected.

Aggrieved by the orders of Commissioner of Endowments Department, Andhra Pradesh they filed Appeal before the Government vide Review Petition U/s 93 of the Act 30/1987. After detailed enquiry by giving personal hearing, the Government have passed orders vide Government Memo No.Endw/310/Endt-I(2)/2022, Dt:15-12-2022 rejecting the said revision petition by confirming the orders of the Commissioner of Endowments Department, Andhra Pradesh.

And further directed to re-examine the issue of Sri K. Ramagopala Rao, after

giving notice to him in respect of his appointment as Executive Officer, Gr-II by transfer of service notionally by taking into consideration of result in O.A.No.4015/2012 on the file of Andhra Pradesh Administrative Tribunal. And further directed to call for explanation from the concerned in Head Office for not put up note to review the appointment of Sri Ramagopala Rao after disposal of O.A.No.4015/2012 by Andhra Pradesh Administrative Tribunal.

Pursuant to the orders of the Government a show cause Notice was issued to Sri K.V. Gopala Rao in Rc.No E1/COE-15021/279/2020, Dt: 06-10-2023 to submit his explanation as to why his notional appointment of Executive Officer, Gr-II by transfer of service issued vide Rc.No.D1/42429/2011-2, Dt.30-04-2013 shall not be re-examined as his promotion as Senior Assistant for Junior Assistant on 01-04-1991 was in violation of Rule-13 of the rules framed under G.O.Ms.No.1478, Dt:17-11-1986 and his subsequent promotion as Executive Officer, Gr-II in terms of G.O.Ms.No.262, Revenue (Endowments-I) Department, Dt:20-05-2002.

In this connection it is submitted that the following facts are submitted for perusal in pursuance of the Endorsement of the Hon'ble Minister for Endowments.

Orders were issued in Rc.No.D1/42429/2011-2, Dt:30-04-2013 to Sri K. Ramagopala Rao, retired Temple Senior Assistant notionally with retrospective effect on adhoc basis subject to outcome of final results in O.A.No.4051/2012 and W.P.No.27188/2011 and other O.As and W.Ps pending if any without monetary benefits. He was specifically informed that his appointment by transfer as Executive Officer, Gr-II is subject to final result of W.P.No.27188 of 2011 and O.A.No.4051/2012 and other O.As and W.Ps pending.

The request of Sri K.Ramagopal Rao, Temple Senior Assistant for

appointment by transfer of service as Executive Officer, Gr-II duly counting his service as Senior Assistant w.e.f. 01-04-1991 was rejected vide this office Proceedings in D1/23116/2012, Dt:18-08-2012 and the efforts made by the Department for vacating the interim orders were not materialized. While so, the individual filed C.A.No.944/2012 in O.A.No.4015/2012. To avoid contempt proceedings the request of the applicant for appointment by transfer of service for the post of Executive Officer, Gr-II was considered by taking into consideration, the date of promotion as Senior Assistant as 01-04-1991.

After producing the orders, the Hon'ble Andhra Pradesh Administrative Tribunal issued orders Dt: 24-08-2012 in C.A.No.944/2012 in O.A.No.4015/2012 closing the Contempt Application.

It is pertinent to state here that as on that date he was at Sl.No.62 as he passed the department that during the year, 2008 and accordingly considering his eligibility as per rules in force in the cadre of Senior Assistants he was rightly placed in the Seniority List. Further it is admitted by Sri K. Ramagopal in his reply affidavit in W.P.No.27188/2011 that.

"..... No doubt there was a condition in the promotion order that I have to pass the Departmental Tests within two years. I submit that even though I have not passed the Departmental Test, I was not reverted to the post of Junior Assistant."

Subsequently after prolonged litigation regarding the passing of Departmental Tests as a prerequisite for promotion from Junior Assistant to Senior Assistant to the temple employees orders were issued in W.A.No.1434/2004 Dt:22-06-2006 dismissing the W.A by the Divisional Bench confirming the orders of the Hon'ble High Court in W.P.No.9636/2004 Dt:10-09-2004 wherein it was held that.

" Rules 39 and 40 which deal with qualifications and tests also relate to the employees of the 8 Temples. After carefully reading the Rules, 2000 it is noticed that Rule-39 & 40 are applicable to all categorizes of the employees and are not confined to the temples required in Rule-36. Therefore, passing of the Account Test for S.O Part-I is a must for the employees of the temple who are seeking promotion to the post of Senior Assistant or who are kept under probation with a condition that they should pass all the Tests prescribed for the said posts including the Account Test for SO Part-I. "

In the present case as on the date of consideration of the case of Sri K. Ramagopala Rao for appointment by transfer who stood Sl.No. 62, the said orders of Divisional Bench were inforce and moreover Sri K.S. Prakasa Rao, Sri P. Lakshmiipathi Rao, Sri V.V.S.Subrahmanyam and Sri K.V. Subrahmanyam, Retired Senior Assistants filed W.P.No.40612/2014 and the Hon'ble Court by its orders Dt:13-12-2014 in W.P.M.P.No.50913/2014 in W.P.No.4062/2014 issued interim orders for disposal of the representation according to seniority list dated 25-05-2011 in accordance with the Rules governing promotions

The Details of the Petitioners are as follows:

1.	K.S.Prakasa Rao	Retired on 30-11-2011	Sl.No.12 qualified
2.	P. Lakshmiipathi Rao	Retired on 30-06-2011	Sl.No.11 qualified
3.	V.V.S.Subrahmanyam	Retired on 31-08-2013	Sl.No.21 Expired qualified
4.	K.V.Subrahmanyam	Retired on 31-01-2014	Sl.No.27 Expired qualified

Sri K. Ramagopala Rao was given orders without monetary benefit and as on date, Sri K.Ramagopala Rao is in receipt of pensionary benefits in having retired as Executive Officer, Gr-II Since, 01-07-2013. A show cause notice was issued

to Sri K.Ramagopala Rao on 06.10.2023 to explain as to why his case shall not be reviewed as per orders of the Government and reply is awaited.

In view of the facts and circumstances, the Government in view of the endorsement by the Deputy Chief Minister may be pleased to take a decision in the matter to follow the Court orders in respect of the Petitioners in the W.Ps and for implementation as per seniority. copies of the references cited are herewith enclosed for ready reference.

Yours faithfully,
S Satyanarayana
Commissioner

(4)

GOVERNMENT OF ANDHRA PRADESH
ENDOWMENTS DEPARTMENT

From S. Satyanarayana, I.A.S., Commissioner, Endowments Department, A.P., Gollapudi, Vijayawada (R).	To The Special Chief Secretary to Government, Revenue (Endowments) Department Government of AP, A.P., Secretariat, Amaravati.
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Lr.in Rc.No. E1/15022/279/2020, Dt: 23/02/2024.

Sir,

Sub : Endowments Department – Establishment - Certain retired Senior Assistant, of East Godavari District - Request to notional appointment in the cadre of Executive Officer, Gr.II by transfer of service -Further report submitted-Reg.

Ref : Govt. E.office file Computer No.1729628.

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Kind attention is invited to the reference cited.

In the reference cited, the Government has requested to furnish that, what orders are required in the matter with his specific recommendations for taking further action in the matter.

It is submitted that the Hon'ble Deputy Chief Minister for Endowments made endorsements on the application as " Please Examine" and also as please examine and follow the court order and implement as per seniority. The representations of the applicants were examined by this office to comply with interim Orders in WP.MP.No.50913/2014 in W.P.No. 40612/2014, dt. 13.01.2014 and issued proceedings in Rc.No.E2/28511/2014-1 and 2 dated: 28.05.2015 rejecting their claims. The applicants herein & 3 others together again submitted representation on 03.02.2022 along with copy of common order of the Hon'ble High Court dt. 30.12.2021 in WP.No. 40612/214 & Batch. The

Commissioner of Endowments examined records and issued proceedings vide Rc.No.E2/COE-15021/279/2020, Dt. 15.02.2022 rejecting the claim of the applicants herein & 3 others.

Aggrieved by the same, the applicants therein have submitted appeal (Review Petition) U/s 93 of the Act30/1987. After detailed enquiry by giving personal hearing, the Government have passed orders vide government Memo No. Endw/310/Endts-I(2)/2022, Dt. 15.12.2022, rejecting the said Revision Petition by conforming the orders of the CED. The same orders were communicated to applicants. Therefore, the Commissioner cannot take any action in this matter. Hence, a factual reports have been already submitted to the Government vide this office Lr.Dt.26.10.2023 & 22.11.2023.

Therefore the Government may be pleased to peruse this office letters Dt.26.10.2023 & 22.11.2023 submitted earlier to Government and to take necessary action on the claim of individuals.

Yours faithfully,
S Satyanarayana
Commissioner

(12)

**GOVERNMENT OF ANDHRA PRADESH
REVENUE (ENDOWMENTS-I) DEPARTMENT**

Memo.No.REV01/ENDW/310/2022/ENDTS-I Dt: 08/08/2024

Sub: Endowments Department - Establishment - Sri P.Lakshmipathi Rao,
Rtd. Senior Assistant, Endts. Dept., Ramachandrapuram and 3 others -
Legal notice served to the Government- Detailed report called for - Reg.

Ref: 1. CED, Lr.in.Rc.No.E1/5022/279/2020dt.23.02.2024.
2.Govt.memo.No.ENDW/310/Endts.I(2)/2022,dt.15.12.2022
3. Lagal notice with Rpad dated 24.05.2024 received from the
B.V.S.Chalapathi Rao, Advocate & Arbitrator

Attention of the Commissioner, Endowments is invited to the references
cited and copy of reference 3rd cited is sent herewith to the Commissioner,
Endowments Department, A.P., Vijayawada with a request to:

- a. Examine the contents of the legal notice and take necessary action as per
rules in the matter, to avoid further legal complications.
- b. Submit a detailed report on the action taken on 2nd cited above, in
chronological order, to facilitate further action in the matter immediately.

**S Satyanarayana
Commissioner**

To
The Commissioner, Endowments Department, A.P., Vijayawada (w.e)
Copy to:
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER

28/2/21

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B. NO. 42 90422-11-02-2021
63GOVERNMENT OF ANDHRA PRADESH
ENDOWMENTS DEPARTMENT

From:-

To:-

M.Vijaya Raju, M.A.,
Deputy Commissioner,
Endowments Department,
Kakinada.The Commissioner,
Endowments Department,
Gollapudi,
Vijayawada Rural.Computer No.347365/2021 Dt 04/02/2021.

Sir,

Sub: Endowments Department - Representations of certain retired temple Senior Assistants of East Godavari District - Request for notional appointment to them to the cadres of Executive Officer, Grade-II by transfer - Requested - Regarding.

Ref:- Commissioner's Memo.In.Rc.No.E2/15021/279/2020, Dt.30-11-2020,
from the Commissioner, Endowments, Gollapudi

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Kind attention is invited to the reference cited, wherein the Commissioner, Endowments, Gollapudi has been pleased to forward the letter of Sri Chelluboina Srinivasa Venugopala Krishna, Hon'ble Minister for BC Welfare, Government of Andhra Pradesh addressed to the Commissioner, Endowments, Gollapudi besides the letter of Sri Malladhi Vishnu, Hon'ble M.L.A., Vijayawada Central which was endorsed by the Hon'ble Minister for Endowments with instructions to submit a detailed report in the matter.

The above public representatives in their letters have requested to consider the representations put forth by 1) Sri P. Lakshmi pathi, Retired Senior Assistant, - Group temples, Kutukuluru 2) Sri K.S. Prakasa Rao, Retired Senior Assistant, Group temples, Vanapalli 3) Sri K. Rama Krishna, Retired Senior Assistant, Group temples, Dangeru 4) Sri S. Gopala Narasa Raju, Retired Senior Assistant, Sri Rajagopala Swamy temple, Kothakota 5) Sri K.V. Subrahmanyam, Retired Senior Assistant and Sri V.V.S. Subrahmanyam, Retired Senior Assistant, Sri P.M.K. Choultry, Rajamahendravaram wherein they have requested to notionally appoint them as Grade-II Executive Officers by transfer of service so as to enable them to draw pensionary benefits at this old age.

In their representations, they stated that many individuals who are very much juniors to them were appointed as Executive Officers in various cadres by transfer of service and having got aggrieved with the same, they filed cases before the Hon'ble High Court and Andhra Pradesh Administrative Tribunal praying to direct the Commissioner, Endowments to appoint them as Executive Officer Grade-II by transfer of service and accordingly the Hon'ble Courts have given orders directing to consider their request and take appropriate actions as per seniority, availability of vacancies etc., but in spite of the said court orders, their requests have not been considered and being rejected by the Commissioner, Endowments may times.

They further stated that one Sri K. Ramagopala Rao, Retired Senior Assistant, Sri Bhimeswara Swamy temple, Bhimavaram who stood at SL No. 62 in the approved final seniority list Dt. 25-5-2011 prepared by the Deputy Commissioner, Endowments, Kakinada and retired from service on 30-6-2012 was appointed as Executive Officer, Grade-II notionally with retrospective effect from 23-6-2012, even after his retirement on 30-6-2012 duly taking the orders Dt. 29-9-2011 in W.P. MP. No. 33572/2011 in W.P. No. 27188/2011 and Orders Dt. 13-6-2012 passed by the A.P. Administrative Tribunal in O.A. No. 4051/2012 filed by Sri K. Ramagopala Rao, Retired temple Senior Assistant into criteria.

Further, they submitted that they are seniors to Sri K. Ramagopala Rao, Senior Assistant and that they have approached the Hon'ble High Courts and Administrative Tribunal Courts and obtained interim orders for consideration of their candidature for appointment as Executive Officer Grade-II by transfer of service prior to obtaining of court orders by Sri K. Ramagopala Rao in W.P. MP. No. 33572/2011 in W.P. No. 27188/2011 and

I/62428/2021

O.A.No.4051/2012, however their representations were not taken into consideration and rejected, but whereas the request of Sri K.Rama gopala Rao who is junior to them was considered after retirement and got appointed as Executive Officer Grade-II by transfer of service notionally with retrospective effect i.e 23-6-2012 and thus a lot of injustice is done to them and hence finally requested to appoint them as Executive Officer, Grade-II by transfer of service notionally with retrospective effect just as considered in the case of Sri K.Ramagopala Rao after retirement so as to enable them to get pension for their livelihood at this old age.

As seen from the final seniority list Dt.25-5-2011 of temple Senior Assistants, the service particulars of the 6 applicants herein and Sri K.Ramagopala Rao, Senior Assistant are submitted as follows.

Sl.No as per final seniority list Dt.25-6-2011	Name of the Employee & Present Station	Educational Qualification	Date of Initial Appointment	Details of Tests Passed with dates		Date of promotion to higher cadre & place of promotion		Date of Retirement from service
				Name of the Test	Date of Passing	Jr.Asst.	Sr.Asst.	
11	P.Lakshmi pathi, Retired Senior Assistant, Group temples, Kutukuluru	B.Com	5-6-1985	Act Rules SOs-I	6/1986 6/1986 6/1986	5-6-1985 Kutukuluru group temples	8-2-1993 Kutukuluru group temples as per the orders of AC, Rly in D.Dis.No. A1/1512/93 Dt.8-2-1993	30-6-2011
12	K.S.Prakasa Rao Retired Senior Assistant, Group temples, Vanapalli.	B.A.	3-12-1982	Act Rules Sos-I EOs	11/1988 6/1986 5/1989 1/1991	1-7-1984 Sri Bandaru peramma garl Swamy garl Annadana Samajam, Vadapalem.	17-2-1993 Sri Pallalamma Ammavari temple, Vanapalli	30-11-2012
14	Late K.Rama krishna Retired Senior Assistant Group temples, Dangeru	SSC	1-3-1977	Act Rules SO-1 Eos	10/1986 10/1986 6/1987 6/1991	1-4-1980 Kapileswarapuram Group temples	3-3-1993 Group temples, Mandapeta	31-5-2012
21	M.V.S Subrahmanyam, Retired Senior Assistant, Sri P.M.K. Choultry, Rajamahendravaram	Inter.	15-8-1984	Act Rules Sos-I	11/1989 11/1989 11/1989	15-9-1984 Sri P.M.K.Choultry, Rajamahendravaram	8-10-1993 Sri P.M.K. Choultry, Rajamahendravaram	31-8-2013
26	K.V. Subrahmanyam, Retired Senior Assistant, Sri Bala Balaji Swamy temple, Appanapalli	Inter	19-3-1982	Act Rules Sos-I	5/1989 11/1990 1/1995	1-9-1988 SH Balabalaaji Swamy temple, Appanapalli	30-7-1997 Sri Balabalaaji Swamy temple, Appanapalli	31-1-2014
29	Late S.Gopala Narasa Raju, Retired Senior Assistant, Sri Rajagopala Swamy temple, Kothakota	Metric	20-5-1974	Act Rules SO-1	5/1985 5/1985 5/2010	1-1-1978 Sri Kapotheswara S.T., Kadali	3-3-1993 Sri Kapotheswara S.T., Kadali	31-10-2011
62	Sri K.Ramagopala Rao, Retired Senior Assistant, Sri Bhimeswara Swamy temple, Bhimavaram	Inter	30-4-1986	Act Rules SO-1	1/1991 1/1991 2/2008	30-4-1986 Sri Bhimeswara Swamy temple, Bhimavaram	1-4-1991 Sri Bhimeswara Swamy temple, Bhimavaram but counted seniority w.e.f 7-2-2008 i.e date of passing of Sos-I Test	30-6-2012

As can be seen from the above, it can be noticed that the applicants herein are placed above the name of Sri K.Ramagopala Rao, Senior Assistant who stood at Sl.No.62

28/2021

File No.ENDT-KRDTOKADM(GNL)/2/2021-JA(B4)-ENDTS

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in the seniority list and hence in view of the above, I request the Commissioner, Endowments, Gollapudi who is the custodian of Roaster Register of Executive Officers may be pleased to issue necessary orders in the matter duly verifying the roaster and availability of vacancies.

It is further submitted that out of the above 6 temple employees, Sri K. Rama Krishna and Sri S. Gopala Narsa Raju have expired and their Legal heirs are pursuing the matter on their behalf.

This is submitted for favour of kind perusal and taking necessary action.

Yours faithfully,
M. Vijaya Raju
Deputy Commissioner.

1 by Medepalli
Raju

14-02-2021 12:34:48

1: Approved

(Under Article 10 to 12 of the Contempt of Courts Act)
IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATHI
C.C.NO. of 2025

Between:

- ... **Petitioner**

1. Government of Andhra Pradesh,
Rep. by its principal Secretary,
Endowments Department, Secretariat,
(Hyderabad) Presently Secretariat, Velagapudi
Amaravathi, Guntur District, Andhra Pradesh.
O/o. Endowment Bhavan, Gollapudi, NTR District,
Andhra Pradesh-521225.
2. The commissioner of Endowments, Andhra Pradesh,
Hyderabad, office at Boggulakunta,
Hyderabad, Andhra Pradesh.
Presently Secretariat, Velagapudi

Amaravathi, Guntur District, Andhra Pradesh.
O/o. Endowment Bhavan, Gollapudi, NTR District,
Andhra Pradesh-521225.

3. The Deputy Commissioner,
Endowment Department, Kakinada, Andhra Pradesh.

... Respondents

For the reasons stated in the accompanying affidavit therefore it is prayed that this Hon'ble court may be pleased to punish the respondents herein under section 10 to 12 of the Contempt of Courts Act, 1971 for not implementing the order dated/13.12.2021 in W.P.No. 40612 of 2014, 38415 of 2015 & 38429 of 2015 orders passed by Hon'ble Justice K. Suresh Reddy and pass such other order or orders as deemed fit and proper under the facts and circumstances of the case and in the interest of the justice

PLACE: Amaravathi.

DATE : -1-2025

COUNSEL FOR THE PETITIONER

copy to Gpfy
Endowments.
DISTRICT:: EAST GODAVARI

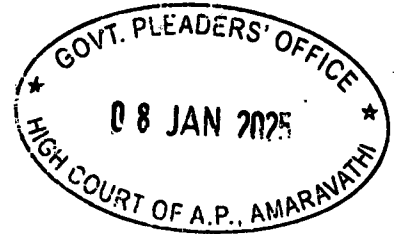
IN THE HIGH COURT OF
ANDHRA PRADESH AT
AMARAVATHI

C.C.No. of 2025
In

W.P.No. 40612 OF 2014

Endowments

DIRECTION PETITION



Filed on : .1-2025

Filed by :

B.V.S CHALAPATHIRAO(4254)
ADVOCATE
COUNSEL FOR THE PETITIONER

9849015458

Knowledge No.:



REV070207042

Wednesday, Jan 08, 2025 11:22:52 AM

APOLCMS