

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P. No. of 2025

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Place : Amaravati,  
Date: 07.02.2025

  
COUNSEL FOR THE PETITIONER

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

W.P. No.                      of 2025

Between:

A.Nathuram, S/o. Surya Prakash Reddy,  
Age 54 years, Occ : Junior Assisatnt in  
Sri Durga Malleswara Swamyvarla Devasthanam,  
Indrakeeladri, Vijayawada, NTR District.

...Petitioner

AND

1. The State of Andhra Pradesh,  
Rep. by the Principal Secretary,  
Revenue (Endowments) Department,  
Velgapudi, Amaravathi,  
Guntur District.
2. The Commissioner,  
Endowments Department,  
Gollapudi, Vijayawada,  
Krishna District.
3. Sri Durga Malleswara Swamyvarla Devasthanam,  
Indrakeeladri, Vijayawada, NTR District  
Rep. by its Executive Officer

...Respondents

address for service of notices, process etc., on the above-named petitioner is that of his Counsel **Sri D.V.Sasidhar (10944), Advocate**, H.No.71-4-6, Patamata, Vijayawada, Krishna District.

For the reasons stated in the accompanying affidavit filed in the support of the above writ petition, Hence In view of the facts and circumstances as stated above It is therefore prayed that this Hon'ble Court may be pleased to issue a writ order or direction more particularly, one in the nature of writ of Mandamus, declaring the action of the 2<sup>nd</sup> & 3<sup>rd</sup> respondents in not considering the case of the

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petitioner for granting notional promotion in the cadre of Junior Assistant w.e.f. 01.04.2019 instead of 16.12.2021 by considering petitioner's representations dated 04.12.2024 & 19.01.2025 and to grant all service benefits as bad, illegal, arbitrary and violative of articles 14, 16 & 21 of Constitution of India and consequently direct the respondents to grant promotion to the petitioner in the cadre of Junior Assistant w.e.f. 01.04.2019 and to grant only service benefits w.e.f. 2019 and pass such order or orders as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.

D.v.J

Amaravati  
Date: 07.02.2025

COUNSEL FOR THE PETITIONER

DISTRICT :: krishna

IN THE HIGH COURT OF  
ANDHRA PRADESH AT  
AMARAVATI

W.P. No. of 2025

WRIT PETITION

cd-100/-  
B-90/-  
v-250  
CC-152

Filed on:

Filed by:

SRI D.V.SASIDHAR(10944)  
MVS NIKHIL KASHYAP (23588)  
COUNSEL FOR PETITIONERS

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Q1, Q2. Gp for Endowment  
Q3. NO standing counsel  
- Balle Paid.

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IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P. No. of 2025

Between:

A.Nathuram

... petitioner

AND

The State of Andhra Pradesh & others.

... Respondents

CHRONOLOGICAL EVENTS  
ANNEXURE - I

Sl. No.	Date	Description of Document	Page No	Para No
01.	01.04.2019 & 16.12.2021	It is submitted that the present writ petition is filed challenging the action of the 2 <sup>nd</sup> & 3 <sup>rd</sup> respondents in not considering the case of the petitioner for granting notional promotion in the cadre of Junior Assistant w.e.f. 01.04.2019 instead of 16.12.2021 and to grant service benefits as bad, illegal, arbitrary and violative of articles 14, 16 & 21 of Constitution of India.	78	2
02.	10.05.2023 & 16.12.2021 & 01.04.2019	I submit that, instead of deciding my promotion notionally in the cadre of Junior Assistant from 01.04.2019 and my promotion to the post of Senior Assistant, but only Senior Assistant promotion was attended and rejected vide proceedings dated 10.05.2023 on the ground that I have not completed 2 years of service in the cadre of Junior Assistant counting from 16.12.2021 and my request for notional promotion from 01.04.2019 was not attended to and no orders were passed to that effect by the competent authority. As such I have again approached the 3 <sup>rd</sup> respondent for notional promotion.	8	4
03.		I submit that, now my grievance is only consider my case for promotion as	9	6

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01.04.2019 & 04.12.2024 & 19.01.2025	Junior Assistant w.e.f. 01.04.2019 for which date, I was fully qualified, eligible and there was a vacant post in the cadre strength of 3 <sup>rd</sup> respondent. Explaining all the above facts I have submitted representations on regular intervals and the latest one is on 04.12.2024 and 19.01.2025. Because of not granting promotion to me in the cadre of Junior Assistant from 01.04.2019, I am put to irreparable loss and injury as my juniors were promoted as Junior Assistant by name Bhavya and KVS Sharma and the same cannot be compensated by any means.	9	6
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ANNEXURE – II

Under Article 226 of Constitution of India

Amaravati,  
Date: 07.02.2025

D.V.S.  
COUNSEL FOR THE PETITIONER

(7)

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P. No. of 2025

Between:

A.Nathuram, S/o. Surya Prakash Reddy,  
Age 54 years, Occ : Junior Assisatnt in  
Sri Durga Malleswara Swamyvarla Devasthanam,  
Indrakeeladri, Vijayawada, NTR District.

...Petitioner

AND

1. The State of Andhra Pradesh,  
Rep. by the Principal Secretary,  
Revenue (Endowments) Department,  
Velgapudi, Amaravathi,  
Guntur District.
2. The Commissioner,  
Endowments Department,  
Gollapudi, Vijayawada,  
Krishna District.
3. Sri Durga Malleswara Swamyvarla Devasthanam,  
Indrakeeladri, Vijayawada, NTR District  
Rep. by its Executive Officer

...Respondents

AFFIDAVIT

I, A.Nathuram, S/o. Surya Prakash Reddy, Age 54 years, Occ :  
Junior Assisatnt in Sri Durga Malleswara Swamyvarla Devasthanam,  
Indrakeeladri, Vijayawada, NTR District, do hereby solemnly affirm and  
sincerely state on oath as follows:

1. I submit that, I am the petitioner and deponent herein, as such I am  
well acquainted with the facts of the case.
2. It is submitted that the present writ petition is filed challenging the  
action of the 2<sup>nd</sup> & 3<sup>rd</sup> respondents in not considering the case of



A. Nathuram

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the petitioner for granting notional promotion in the cadre of Junior Assistant w.e.f. 01.04.2019 instead of 16.12.2021 and to grant service benefits as bad, illegal, arbitrary and violative of articles 14, 16 & 21 of Constitution of India.

3. I humbly submit that, I was regularized as Record Assistant on 01.04.2005 in the 3<sup>rd</sup> respondent temple, thereafter I was not promoted as Junior Assistant even after 5 years. Thereafter because of pending charges against me, I was not promoted, as such I have filed WP No. 27346/2021 and interim orders are granted to consider my case for promotion as Junior Assistant without reference to charge memo. Thereafter I was promoted to the post of Junior Assistant on 16.12.2021 instead of from the date of eligibility and vacancy i.e. from 01.04.2019. Hence, immediately I have submitted representations on 2.09.2022 & 14.02.2023 to grant me promotion to the post of Senior Assistant, as the same was not considered I have filed WP No. 5007/2023 and the same was disposed of on 01.03.2023 to consider my representation.
4. I submit that, instead of deciding my promotion notionally in the cadre of Junior Assistant from 01.04.2019 and my promotion to the post of Senior Assistant, but only Senior Assistant promotion was attended and rejected vide proceedings dated 10.05.2023 on the ground that I have not completed 2 years of service in the cadre of Junior Assistant counting from 16.12.2021 and my request for notional promotion from 01.04.2019 was not attended to and no orders were passed to that effect by the competent authority. As such I have again approached the 3<sup>rd</sup> respondent for notional promotion.

A. Nandini Jagan

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5. I submit that, as such extending my request for considering my case for promotion notionally in the cadre of Junior Assistant from 01.04.2019 I have submitted representations on 18.04.2023, 04.12.2024 & 19.01.2025 seeking only notional promotion without monetary benefits only for the sake of service benefits. The said representations are pending as on today. Unless my representations are considered and I am granted promotion as Junior Assistant w.e.f. 01.04.2019, I will be put to irreparable loss and injury which cannot be compensated by any means.
6. I submit that, now my grievance is only consider my case for promotion as Junior Assistant w.e.f. 01.04.2019 for which date, I was fully qualified, eligible and there was a vacant post in the cadre strength of 3<sup>rd</sup> respondent. Explaining all the above facts I have submitted representations on regular intervals and the latest one is on 04.12.2024 and 19.01.2025. Because of not granting promotion to me in the cadre of Junior Assistant from 01.04.2019, I am put to irreparable loss and injury as my juniors were promoted as Junior Assistant by name Bhavya and KVVS Sharma and the same cannot be compensated by any means.
7. I submit that, in the circumstances stated above, the petitioner has no efficacious alternative remedy except to approach this Hon'ble Court under Article 226 of constitution of India.
8. I submit that, the petitioner has not filed any writ petition, suit or other proceedings for the relief or relieves sought herein.

A

A. K. Sharma

In the above mentioned circumstances, it is therefore prayed that the Hon'ble Court may be pleased to issue a writ order or direction more particularly, one in the nature of writ of Mandamus, declaring the action of the 2<sup>nd</sup> & 3<sup>rd</sup> respondents in not considering the case of the petitioner for granting notional promotion in the cadre of Junior Assistant w.e.f. 01.04.2019 instead of 16.12.2021 by considering petitioner's representations dated 04.12.2024 & 19.01.2025 and to grant all service benefits as bad, illegal, arbitrary and violative of articles 14, 16 & 21 of Constitution of India and consequently direct the respondents to grant promotion to the petitioner in the cadre of Junior Assistant w.e.f. 01.04.2019 and to grant only service benefits w.e.f. 2019 and pass such order or orders as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.

Pending disposal of the writ petition, it is therefore prayed that this Hon'ble Court may be pleased to direct the 3<sup>rd</sup> respondent to consider the petitioner's representations dated 04.12.2024 & 19.01.2025 and pass such order or orders as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.

Solemnly affirmed and signed  
before me on this the 7<sup>th</sup> day of  
February, 2025 at Amaravathi

A. Nandhan

DEPONENT

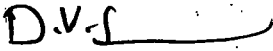
Advocate: Amaravathi

(Ashtak)

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VERIFICATION

I, A.Nathuram, S/o. Surya Prakash Reddy, Age 54 years,  
Occ : Junior Assisatnt in Sri Durga Malleswara Swamyvarla  
Devasthanam, Indrakeeladri, Vijayawada, NTR District, do  
hereby verify that the contents of above paras are true to the  
best of my knowledge and belief, Hence Verified at Amaravathi  
on this the 7<sup>th</sup> day of February, 2025 at Vijayawada.

D.V.   
Counsel for the Petitioners

A. Nadin Nanni  
Deponent

✓

PJ (12)

తేది 19.01.2025  
విజయవాడ

శ్రీయుగ కార్యనిర్వహణాధికారి వారికి  
శ్రీదుర్గానుభేత్తర స్వామివార్ల దేవస్థానం  
జిల్లాశీలాద్రి, విజయవాడ

అయ్యో

ఎ.నాథూరామ్ తాను నేను తమ దేవస్థానం నందు 100% నుండి రిటైర్ అసిస్టెంటుగా అపీయంబుమెంట్ పొందియున్నాను.

2019వ సంవత్సరంలో శ్రీయుగ కమీషనర్, దేవరాయశాఖ, విజయవాడ వారి ఉత్తర్వులు ప్రకారం 18 జూనియర్ అసిస్టెంట్ పోస్టులు ఈ దేవస్థానం వేటర్ డ్రాంట్ నందు నుంజూరుచేస్తూ ఉత్తర్వులు జారీచేయున్నారు. కానీ నాకు అప్పటికి అసూ తేది.01.04.2019వ సంవత్సరంలో జూనియర్ అసిస్టెంట్ పదోన్నతి కల్పించవలసి ఉండగా, ఆ తేదికి జూనియర్ అసిస్టెంట్ పోస్టులు క్లియర్ చేస్తూ ఉత్తరం నాకు వ్యాయం జరుగలేదు.

ఈ విషయంపై గౌరవనీయ ఎ.సి సైకోథర్మను ఇతయించగా తేది.14.12.2021వ తేదీన నడరు పోస్టును నేను క్వాలిఫైడ్ అవి గౌరవనీయ స్థాయిస్థానం ఉత్తర్వులు జారీచేయగా, నడరు ఉత్తర్వును అనుసరించి తేది.16.12.2021 తేదీన జూనియర్ అసిస్టెంటుగా నాకు పదోన్నతి కల్పించియున్నారు.

కావున నడరు విషయంపై మనవి చేయువది ఏమనగా నేను తేది.01.04.2019 వాటికి జూనియర్ అసిస్టెంటుగా పదోన్నతికి అర్హుడనైయున్నాను, నాకు అవ్యాయం జరిగియున్నది. కాబట్టి నా మనవి ఏమనగా... ప్రస్తుతం జూనియర్ అసిస్టెంటుగా పనిచేస్తున్న నాకు ఏదియైనా డెప్యూటీ కల్పించవలసినరం లేకుండా వాయిదా వాయిదా జూనియర్ అసిస్టెంట్ సర్వీసును మళ్లీ తేది.01.04.2019 నుండి పరిగణలోనికి తీసుకొని, సర్వీసు కోంటి వేయవలసినదాగా కోరుచున్నాను. ఈ విషయం గురించి అప్పటికి తేది.24.09.2024వ లకు ఏవకీషన్లకు తమకు సమర్పించియున్నానని మనవిచేస్తూ, నడరు సర్వీసు విషయంలో నాకు అవ్యాయం చేయవలసినదాగా తమ ఘనతనుగూర్చి కోరుప్రార్థించుచున్నాను.



19/01/2025

అర్జీ  
తమిలిరేయిడు  
డి.గణేశ్ కుమార్  
(ఎ.నాథూరామ్)  
జూనియర్ అసిస్టెంట్  
శ్రీదుర్గానుభేత్తర స్వామివార్ల దేవస్థానం, విజయవాడ

B

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//TRANSLATION//

Date: 19.01.2025  
Vijayawada

To,  
The Executive Officer,  
Sri Durga Malleswara Swamy Temple,  
Indrakeeladri, Vijayawada.

Respected Sir,

I, A. Nathuram, have been appointed as a Record Assistant in this temple since 2005.

In 2019, as per the orders of the Hon'ble Commissioner, Endowments Department, Vijayawada, 18 Junior Assistant posts were sanctioned for this temple cadre. However, despite the clear vacancy in the Junior Assistant posts as of 01.04.2019, I was not given a promotion at that time, which was unjust.

Regarding this matter, I approached the Hon'ble A.P. High Court, and on 14.12.2021, the court ruled that I was qualified for the said post. Based on these orders, I was promoted to the position of Junior Assistant on 16.12.2021.

Therefore, I humbly request that, since I was eligible for promotion to Junior Assistant as of 01.04.2019, and an injustice was done to me, my service as a Junior Assistant should be counted from 01.04.2019. I do not seek any monetary benefits but only the recognition of my service tenure from that date.

I had already submitted a representation regarding this matter on 24.09.2024. Hence, I earnestly request your esteemed office to ensure justice regarding my service tenure.

Yours faithfully,  
(A. Nathuram)  
Junior Assistant,  
Sri Durga Malleswara Swamy Temple,  
Vijayawada.

R

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తేది. 04. 12. 2024

విజయవాడ

శ్రీయుత కార్యనిర్వహణాధికారి వారికి  
శ్రీదుర్గామల్లేశ్వర స్వామివార్ల దేవస్థానం  
ఇంద్రకీలాద్రి, విజయవాడ

అయ్యో,

ఎ.నాథూరామ్ అను నేను తమ దేవస్థానం నందు 2005 నుండి రికార్డ్ అసిస్టెంట్‌గా ఆపాయింట్‌మెంట్ పొందియున్నాను.

2019వ సంవత్సరంలో శ్రీయుత కమీషనర్, దేవదాయశాఖ, విజయవాడ వారి ఉత్తర్వులు ప్రకారం 18 జూనియర్ అసిస్టెంట్ పోస్టులు ఈ దేవస్థానం కేడర్ డ్రైంట్ నందు మంజూరుచేస్తూ ఉత్తర్వులు జారీచేసియున్నారు. కానీ నాకు అప్పటికి అనగా తేది. 01. 04. 2019వ సంవత్సరంలో జూనియర్ అసిస్టెంట్ పదోన్నతి కల్పించవలసి ఉండగా, ఆ తేదికి జూనియర్ అసిస్టెంట్ పోస్టులు క్లియర్ వేకెన్సీ ఉన్ననూ నాకు న్యాయం జరగలేదు.

ఈ విషయమై గౌరవనీయ ఎ.పి హైకోర్టును ఆశ్రయించగా తేది. 14. 12. 2021వ తేదిన సదరు పోస్టునకు నేను క్వాలిఫైడ్ అని గౌరవనీయ న్యాయస్థానం ఉత్తర్వులు జారీచేయగా, సదరు ఉత్తర్వులను అనుసరించి తేది. 16. 12. 2021 తేదిన జూనియర్ అసిస్టెంట్‌గా నాకు పదోన్నతి కల్పించియున్నారు.

కావున సదరు విషయమై మనవి చేయునది ఏమనగా నేను తేది. 01. 04. 2019 నాటికి జూనియర్ అసిస్టెంట్‌గా పదోన్నతికి అర్హుడనైయున్ననూ, నాకు అన్యాయం జరిగియున్నది. కాబట్టి నా మనవి ఏమనగా... ప్రస్తుతం జూనియర్ అసిస్టెంట్‌గా పనిచేస్తున్న నాకు ఏవిధమైన బెన్సిట్స్ చెల్లించనవసరం లేకుండా నాయొక్క జూనియర్ అసిస్టెంట్ సర్వీసును మాత్రమే తేది. 01. 04. 2019 నుండి పరిగణలోనికి తీసుకొని, సర్వీసు కొంట్ చేయవలసినదిగా కోరుచున్నాను. ఈ విషయం గురించి ఇప్పటికే తేది. 24. 09. 2024న ఒక వినతిప్రతం తమకు సమర్పించియున్నానని మనవిచేస్తూ, సదరు సర్వీసు విషయంలో నాకు న్యాయం చేయవలసినదిగా తమ ఘనతనుగూర్చి కోరిప్రార్థించుచున్నాను

ఇట్లు

తమవిధేయుడు

A. Nandhu Ramu

(ఎ.నాథూరామ్)

జూనియర్ అసిస్టెంట్

శ్రీదుర్గామల్లేశ్వర స్వామివార్ల దేవస్థానం, విజయవాడ.



R

(15)  
//TRANSLATION//

Date: 04.12.2024  
Vijayawada

To,  
The Executive Officer,  
Sri Durga Malleswara Swamy Temple,  
Indrakeeladri, Vijayawada.

Respected Sir,

I, A. Nathuram, have been appointed as a Record Assistant in this temple since 2005.

In 2019, as per the orders of the Hon'ble Commissioner, Endowments Department, Vijayawada, 18 Junior Assistant posts were sanctioned for this temple cadre. However, despite the clear vacancy in the Junior Assistant posts as of 01.04.2019, I was not given a promotion at that time, which was unjust.

Regarding this matter, I approached the Hon'ble A.P. High Court, and on 14.12.2021, the court ruled that I was qualified for the said post. Based on these orders, I was promoted to the position of Junior Assistant on 16.12.2021.

Therefore, I humbly request that, since I was eligible for promotion to Junior Assistant as of 01.04.2019, and an injustice was done to me, my service as a Junior Assistant should be counted from 01.04.2019. I do not seek any monetary benefits but only the recognition of my service tenure from that date.

I had already submitted a representation regarding this matter on 24.09.2024. Hence, I earnestly request your esteemed office to ensure justice regarding my service tenure.

Yours faithfully,  
(A. Nathuram)  
Junior Assistant,  
Sri Durga Malleswara Swamy Temple,  
Vijayawada.

R

శ్రీయుత కార్యనిర్వహణాధికారిడి వారికి  
శ్రీ దుర్గా మల్లేశ్వర స్వామి వార్ల దేవస్థానం  
ఇంద్రకీలాద్రి, విజయవాడ.

తేది. 18.04.2023  
విజయవాడ.

**విషయం:** శ్రీ దుర్గా మల్లేశ్వర స్వామి వార్ల దేవస్థానం, ఇంద్రకీలాద్రి, విజయవాడ -  
ఎ.నాథూరామ్, జూనియర్ అసిస్టెంట్ వారు ఎ.డి.వి.ఎస్.సి.బ్యూరో డిపార్ట్మెంట్  
టెన్షన్ లో ఉత్తీర్ణత పొంది, ఈ దేవస్థానం నందు వేకెన్సీ గల సీనియర్ అసిస్టెంట్  
పోస్టులో పదోన్నతి కల్పించుట విషయంలో గౌ. ఆంధ్రప్రదేశ్ హైకోర్ట్ ఉత్తర్వులు  
WP No.5007/2023 తేది.01.03.2023 ఉత్తర్వులు అమలు గురించి  
విన్నపములు.

అమ్మా, నమస్కారములు,

ఎ.నాథూరామ్ అనే నాకు శ్రీ దుర్గా మల్లేశ్వర స్వామి వార్ల దేవస్థానం, ఇంద్రకీలాద్రి, విజయవాడను  
మాతృ దేవాలయమై ఉండగా, ప్రస్తుతం అన్నవరం దేవస్థానం నందు ఇదిలిపై విధులు నిర్వహించుచున్నాను.  
ఆంధ్రప్రదేశ్ పబ్లిక్ సర్వీస్ కమీషన్ వారు జారీచేసిన డిపార్ట్మెంట్ టెన్షన్లు నోటిఫికేషన్ నెం. 2/2022 నందు హాల్ టికెట్ నెం. 21300137(103) యందు, టెస్ట్ నెం. 126వకు గాను హాల్ టికెట్ నెం. 10601867(126), టెస్ట్ నెం. 008 వకు గాను హాల్ టికెట్ నెం. 10601866లో నేను ఉత్తీర్ణత  
సాధించినట్లుగా ఫలితాలు వెల్లడిచేసియున్నారు. ఈ విధముగా ఆంధ్రప్రదేశ్ పబ్లిక్ సర్వీస్ కమీషన్  
వారు జారీచేసిన డిపార్ట్మెంట్ పరీక్షలలో 103, 126, 008 ఉత్తీర్ణత పొందియున్నానని తమకు  
తెలియజేయడమైనది. ఈ దేవస్థానంలో సీనియర్ అసిస్టెంట్ పోస్టులో క్షియర్ వేకెన్సీ ఉండగా నవరు  
పోస్టులో నాకు పదోన్నతి కల్పించవలసినదిగా కోరుచున్నాను. తేది. 16.12.2021న ఈ దేవస్థానం  
నందు నాకు రికార్డ్ అసిస్టెంట్ నుండి జూనియర్ అసిస్టెంట్ గా హైకోర్ట్ ఉత్తర్వులు ప్రకారం పదోన్నతి  
కల్పించియున్నారు. వాస్తవంగా నాకు తేది. 01.04.2019 నుండి జూనియర్ అసిస్టెంట్ గా సర్వీసు  
పరిగణలోకి తీసుకోవలసి ఉండగా తేది. 16.12.2021 నుండి మాత్రమే సర్వీసు కలిపి యున్నారు.  
దీనివలన నాకు సర్వీసులో చాలా నష్టము కలిగియున్న విషయంలో నేను గౌరవనీయ ఆంధ్రప్రదేశ్ హై  
కోర్ట్ ను ఆశ్రయించగా WP No.5007/2023 లో తేది. 01.03.2023న ఉత్తర్వులు జారీచేయబడ్డాయి.  
కావున తమరు నాయందు దయ ఉంచి, నడరు హైకోర్ట్ ఉత్తర్వులు ప్రకారం సీనియర్ అసిస్టెంట్ గా  
పదోన్నతి కల్పించు విషయంలో ననాయం చేయవలసినదిగా మిక్కిలి వివయపూర్వకముగా  
ప్రార్థించుచున్నాను.

**జత:**

ఆంధ్రప్రదేశ్ హైకోర్ట్ ఉత్తర్వుల కాపీ

ఇట్లు

తమ విధేయుడు

A. N. S. S. S. S.

(ఎ.నాథూరామ్)

జూనియర్ అసిస్టెంట్

R



(17)  
//TRANSLATION//

Date: 18.04.2023  
Vijayawada

To,  
The Executive Officer,  
Sri Durga Malleswara Swamy Temple,  
Indrakeeladri, Vijayawada.

Subject: Request regarding the promotion of Sri A. Nathuram, Junior Assistant, in the vacancy of Senior Assistant in Sri Durga Malleswara Swamy Temple, Indrakeeladri, Vijayawada, following the orders of the Hon'ble Andhra Pradesh High Court in WP No. 5007/2023 dated 01.03.2023.

Respected Sir,

I, A. Nathuram, consider Sri Durga Malleswara Swamy Temple, Indrakeeladri, Vijayawada, as my mother temple, and I am currently working in a transferred position at the Annavaram Temple.

As per the notification No. 13/2022 by the Andhra Pradesh Public Service Commission (APPSC) regarding department tests, I have successfully passed the following tests: Test No. 103 with Hall Ticket No. 21300137(103), Test No. 126 with Hall Ticket No. 10601867(126), and Test No. 008 with Hall Ticket No. 10601866. This confirms that I have passed the APPSC department tests. There is a clear vacancy in the Senior Assistant post at this temple, and I request that I be promoted to the Senior Assistant position accordingly. On 16.12.2021, I was promoted from Record Assistant to Junior Assistant as per the orders of the Hon'ble High Court. However, my service was only considered from 16.12.2021, while I should have been recognized from 01.04.2019 as a Junior Assistant. This discrepancy has resulted in a significant loss to me in terms of service.

Therefore, I approached the Hon'ble Andhra Pradesh High Court, and in WP No. 5007/2023, the court issued orders on 01.03.2023. I respectfully request your kind intervention in promoting me to the Senior Assistant position, in accordance with the Hon'ble High Court's orders.

Enclosure:

Copy of the Hon'ble Andhra Pradesh High Court orders.

Yours sincerely,  
(A. Nathuram)  
Junior Assistant

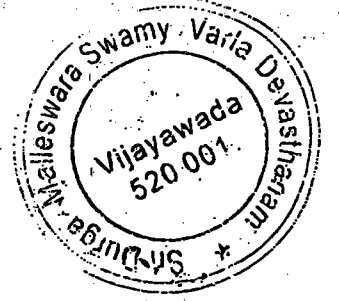
R

18

20-9-2022  
తేది: 09-09-2022

టు

శ్రీయుత కార్యనిర్వహణాధికారి,  
శ్రీ దుర్గా మల్లేశ్వర స్వామి వార్ల దేవస్థానం,  
ఇంద్రకీలాద్రి విజయవాడ.



అమ్మా,

నేను ఎ.నాథూరాం రెడ్డి తమ దేవస్థానము నందు జానియర్ అసిస్టెంట్ గా పనిచేసి  
ప్రస్తుతము శ్రీ వీర వెంకట సత్యనారాయణ స్వామి వారి దేవస్థానం, అన్నవరం నందు  
బదిలీపై పనిచేయుచున్నాను.

ఈ విషయములో తమరికి విన్నవించుకొనునది ఏమనగా నేను రికార్డు అసిస్టెంట్  
గా శ్రీ దుర్గా మల్లేశ్వర స్వామి వార్ల దేవస్థానం, ఇంద్రకీలాద్రి, విజయవాడ నందు పనిచేసిన  
సందర్భములో తేది: 1-4-2019 నాటికి జానియర్ అసిస్టెంట్ పోస్టులు ఖాళీ ఉన్ననూ  
నాకు పదోన్నతి కల్పించియుండలేదు. తదుపరి నేను డిప్ల్యు.పి.నెం. 27346/ 2021  
ద్వారా గౌరవ హైకోర్టు, ఆంధ్రప్రదేశ్ వారిని ఆశ్రయించగా తేది: 24-11-2021 న ఉత్తర్వులు  
జారీచేసియున్నారు. సదరు ఉత్తర్వులు మేరకు తేది: 15-12-2021 న రికార్డు అసిస్టెంట్  
నుండి జానియర్ అసిస్టెంటుగా పదోన్నతి కల్పించియున్నారు.

కావున తమరు నా విన్నపమును మన్నించి నా అర్హత మేరకు నా జానియర్  
అసిస్టెంట్ పదోన్నతిని తేది: 15-12-2021 బదులుగా తేది: 1-4-2019 నుండి  
ఇప్పించవలసినదిగా మిక్కిలి కోరి ప్రార్థించుచున్నాను.

ఇట్లు

తమ విధేయుడు

A. Hanumanth Rao,

(ఎ.నాథూరామ్)

జానియర్ అసిస్టెంట్.

2

(12)

//TRANSLATION//

Date: 20-09-2022

To,  
The Executive Officer,  
Sri Durga Malleswara Swamy Temple,  
Indrakeeladri, Vijayawada.

Respected Madam,

I, A. Nathuram Reddy, previously worked as a Junior Assistant in your esteemed temple and am currently serving at Sri Veera Venkata Satyanarayana Swamy Temple, Annavaram, on transfer.

I wish to bring to your kind notice that while I was working as a Record Assistant at Sri Durga Malleswara Swamy Temple, Indrakeeladri, Vijayawada, there were vacant Junior Assistant posts as of 01-04-2019, but I was not granted a promotion at that time. Subsequently, I approached the Hon'ble Andhra Pradesh High Court through W.P. No. 27346/2021, and the court issued orders on 24-11-2021. Based on these orders, I was promoted from Record Assistant to Junior Assistant on 15-12-2021.

Therefore, I humbly request you to consider my eligibility and grant my Junior Assistant promotion effective from 01-04-2019, instead of 15-12-2021.

Yours sincerely,  
(A. Nathuram)  
Junior Assistant



P2 (20)  
Office of the Executive Officer  
SDMS Devasthanam, Indrakeeladri,  
Vijayawada.

**Re No A1/81278/2023 Dt: 10/05/2023**

**Sub:** Endowments Department - Sri Durga malleswara Swamy Varla Devasthanam, Indrakeeladri, Vijayawada - Establishment section  
- Representation of Sri A.Nadhuram, Junior Assistant for promotion to the post of Senior Assistant - Examined - Rejected - Orders Issued.

**Ref:** 1. Representation dt.14.02.2023 of Sri A.Nadhuram, Jr Asst.  
2. Representation dt.18.04.2023 of Sri A.Nadhuram, Jr Asst (enclosing court order).  
3. Hon'ble High Court orders in WP No.5007/2023 dt.01.03.2023 received on 30.04.2023

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In the reference 1<sup>st</sup> cited, Sri A.Nadhuram, Junior Assistant currently working in SVVSS Devasthanam, Annavaram has submitted a representation to promote him to the cadre of Senior Assistant mentioning that he has passed Departmental tests with paper codes: 08, 103 and 126. He further mentioned that he was promoted to the cadre of Junior Assistant on 16.12.2021 as per Hon'ble court orders. Though his service has to be considered from 01.04.2019 as Junior Assistant he was considered as Junior Assistant from 16.12.2021 only and requested to promote him to the cadre of Senior Assistant. In the reference 2<sup>nd</sup> cited he has submitted another representation duly enclosing a copy of Orders dt.01-03-2023 in WP no.5007/2023 of Hon'ble High Court, requested to promote him to the post of Senior Assistant as per the Hon'ble High Court orders.

The Hon'ble High Court in its order Dt.01.03.2023 directed the 3<sup>rd</sup> respondent to consider the representations of the petitioner dt.20.09.2022 and dt.14.02.2023 and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of the court orders.

In obedience to the above orders of the Hon'ble High Court, the case of the petitioner for promotion to the post of Senior Assistant in the establishment of Sri Durga Malleswara Swamy varla Devasthanam, Vijayawada is examined with reference to his representations dt.20.09.2022 and dt.14.02.2023 and felt that his case for promotion in this Devasthanam cannot be considered at this stage on the

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following grounds:

1. He was promoted from the cadre of Record Assistant to the cadre of Junior Assistant vide Rc.No.A1/1515/2021, dt:16.12.2021 of this Devasthanam with a condition "subject to outcome of the disciplinary enquiry and subject to outcome of final orders in WP 27346/ 2021". The disciplinary enquiry and the WP.27346/2021 both are still pending.
2. He reported for duty as Junior Assistant on 16.12.2021. To get eligibility for promotion to the cadre of Senior Assistant he has to complete 2 years in the cadre of Junior Assistant.

In view of the above, Sri A.Nadhuram, Junior Assistant is hereby informed that his representations for promotion to the post of Senior Assistant is considered and rejected.

D.bramaramba  
Joint Commissioner &  
Executive Officer

To

1. Sri A.Nadhuram, Junior Assistant, SVSS Devasthanam, Annavaram.
2. Extra.



P3 (29)

**THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**

**WRIT PETITION No. 5007 of 2023**

**ORDER:**

This writ petition is filed by the petitioner under Article 226 of the Constitution of India for the following reliefs:

*"to issue a Writ or Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3<sup>rd</sup> respondent in not considering the case of the petitioner for granting promotion in the cadre of Junior Assistant w.e.f., 01.04.2019 instead of 15.12.2021 as bad, illegal, arbitrary and violative of Articles 14, 16, 21, and 300-A of the Constitution of India and consequently direct the respondents to consider the case of the petitioner in the cadre of Junior Assistant w.e.f., 01.04.2019 and to grant all consequential service and monetary benefits to the petitioner and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case." (in verbatim)*

2. Heard learned counsel for the petitioner, learned Government Pleader for Endowments appearing for respondent Nos.1 & 2 and learned standing counsel appearing for the 3<sup>rd</sup> respondent.

3. When the matter is taken up for hearing, learned counsel for the petitioner mainly submits that a direction may be given to the respondents to consider the petitioner's representations dated 20.09.2022 and 14.02.2023, for which learned Government Pleader for Endowments submits that the



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petitioner's representations will be considered by the respondents, in accordance with law, within a reasonable time.

4. Having regard to the submissions made by learned counsel for the petitioner and learned Government Pleader for Endowments and in the facts and circumstances of the case, without going into the merits of the case, the Writ Petition is disposed of with a direction to the 3<sup>rd</sup> respondent to consider the petitioner's representations dated 20.09.2022 and 14.02.2023, and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order, after providing an opportunity of hearing to the petitioner. It is made clear that the respondents will consider the petitioner's representations on merits and in accordance with law. No order as to costs.

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

**VENKATESWARLU NIMMAGADDA, J**

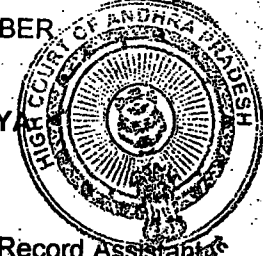
1<sup>st</sup> March, 2023.  
cbn

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P4      (24)

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI  
(Special Original Jurisdiction)  
WEDNESDAY, THE TWENTY FOURTH DAY OF NOVEMBER  
TWO THOUSAND AND TWENTY ONE

:PRESENT:  
THE HONOURABLE SRI JUSTICE NINALA JAYASURYA  
WRIT PETITION NO: 27346 OF 2021-



Between:

A. Nadhurar, S/o. Surya Prakash Reddy, Aged 51 years, Occ. Record Assistant  
in Sri Durga Malleswara Swamy Varla Devasthanam, Indrakeeladri, Vijayawada  
Krishna District.

....Petitioner

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Revenue (Endowments) Department, 'Secretariat Buildings, Velagapudi, Guntur District.
2. The Commissioner, Endowments Department, Andhra Pradesh, Gollapudi, Vijayawada.
3. Sri Durga Malleswara Swamy Varla Devasthanam Indrakeeladri, Vijayawada Rep. by its Executive Officer.

.... 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 Direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3<sup>rd</sup> respondent in not concluding the disciplinary proceedings initiated against the petitioner vide charge memo in Rc.No.A1/4426/2017-2 dated 27-12-2017 within the stipulated time as mentioned in G.O. Ms. 679 dated 1-11-2008 as bad, illegal, arbitrary and violative of Articles 14, 16 & 21 of the Constitution of India and consequently set aside the charge memo date 27-12-2017 and to grant all consequential service monetary benefits to the petitioner.

**IA NO: 1 OF 2021**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 3<sup>rd</sup> respondent to grant promotion to the petitioner to the post of Junior Assistant without reference to the charge memo in Rc.No.A1/4426/2017-2 dated, 27-12-2017, Pending disposal of WP 27346 of 2021, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri D V Sasidhar Advocate for the Petitioner and of GP for Endowments for the Respondent Nos.1 & 2 and Sri K Madhava Reddy SC for Respondent No.3, the Court made the following.

**ORDER:**

"Heard learned counsel for the petitioner,

Mr.K.Madhava Reddy, learned Standing Counsel seeks time for filing counter on behalf of respondent No.3.

However, considering the submissions that the charge memo was issued on 27-12-2017 and the enquiry was not completed, though the Enquiry Officer was appointed on 31.8.2021, this Court is inclined to pass an interim order: Under G.O.Ms.No.679, General Administration (Services-C) Department, dated 01.11.2008, any enquiry initiated against a public servant, should be completed within six months. In the present case, the disciplinary proceedings have been pending for more than one year. It may also be noted that there is no complaint on behalf of the respondents that this delay has occurred on account of any action of the petitioner herein. It is true that the charges levelled against the petitioner are

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serious in nature and relate to actions which cause loss to the respondent-Temple. However, the fact remains that the charge memo has been issued five years after the events and the disciplinary proceedings continue to remain pending beyond six months time stipulated in G.O.Ms.No.679.

In these circumstances, there shall be an interim direction to the 3rd respondent to consider the case of the petitioner for promotion to the post of Junior Assistant without reference to charge memo Rc.No.A1/4426/ 2017-2, dated 27.12.2017. However, any promotion given to the petitioner shall be subject to the result of disciplinary proceedings.

List the matter after four weeks. In the meanwhile, counter to be filed by the concerned respondents."

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SD/- K.TATA RAO  
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (Endowments) Department, 'Secretariat Buildings, Velagapudi, State of Andhra Pradesh, Guntur District.
2. The Commissioner, Endowments Department, Andhra Pradesh, Gollapudi, Vijayawada.
3. The Executive Officer, Sri Durga Malleswara Swamy Varla Devasthanam Indrakeeladri, Vijayawada (1 to 3 by RPAD)
4. One CC to Sri. D V Sasidhar Advocate [OPUC]
5. One CC to Sri K Madhava Reddy, SC [OPUC]
6. Two CCs to GP for Endowments, High Court Of Andhra Pradesh. [OUT]
7. One spare copy

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**Proceedings of the Executive Officer, Sri Durga Malleswara Swamy  
Varla Devasthanam, Indrakeeladri, Vijayawada**  
Present: D.Bramaramba, J.C & E.O

Proc.in Rc.No.A1/1515/2020,dt. 12-01-2022

- Sjb: Endowments Department - Establishment – Sri Durga Malleswara Swamy varla Devasthanam, Indrakeeladri - Vijayawada – Secular  
Estt – Sri A.Nadhuram, Record Assistant - promoted as Jr Assistant –  
fixation of pay – Orders – issued.
- Ref: 1.G.O.Ms.No.145, Finance (FR.II) Department dated 19-5-2009  
2.G.O.Ms.No.96, Finance (PC.II) Department dated 20-5-2011  
3.G.O.Ms.No.38, Finance (HRM.IV) Department dt.15-4-2015  
4.EO, SDMSD, Vijayawada Rc.No.A1/1515/2020 dt.16-12-2021,  
5.Joining report of the individual, dt.16-12-2021 AN.

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**ORDER:**

Consequent on promotion of Sri A.Nadhuram, Record Assistant (SPP IA) to the cadre of Junior Assistant in the reference 4<sup>th</sup> cited in the scale of pay 16400-470-16870-510-18400-550-20050-590-21820-640-23740-700-25840- 760-28120-820-30580-880-33220-950- 36070-1030-39160-1110-42490-1190- 46060-1270-49870, he reported to duty on 16.12.2021 AN in the promotion post as Junior Assistant in the establishment of this Devasthanam through reference 5<sup>th</sup> cited. As per the amendment issued in the reference 1<sup>st</sup> cited, it was ordered that exercising of option is not necessary for fixation of pay in the promotion cadre post and the competent authority shall fix the pay by adopting the method which may be beneficial to the employee as per rules in force.

The individual is drawing a pay of Rs. 27360.00 as on 16.12.2021 AN in the cadre of Record Assistant (SPP IA) in the scale of pay 16400—49870, Hence the pay of Sri A.Nadhuram is fixed at Rs. 28120.00 w.e.f 17.12.2021 under FR 22 a (i) in the cadre of Junior Assistant in the scale of pay 16400—49870. His pay has to be fixed separately under FR 22B w.e.f 1.04.2022 i.e date of next increment in the lower cadre (R.A-SPP IA) which is benefit to the individual.

The above pay fixation is liable for revision at any time subject to future audit. Any erroneous fixation is found at later date, the same will be recovered from him without assigning any prior notice.

The Pay Bill clerk is requested to take necessary action to prepare a bill for payment of arrears and to include the above pay in pay bill register.

Sd/-D.Bramaramba  
JOINT COMMISSIONER &  
Executive Officer

//f.b.o//

Asst. Executive Officer

To

1. Sri A.Nadhuram,  
Junior Assistant
2. Pay Bill clerk
3. Copy to S.F.
4. Copy to AAO, State Audit (SDMSD), Vijayawada.

**PROCEEDINGS OF THE EXECUTIVE OFFICER & JOINT COMMISSIONER**  
**Sri Durga Malleswara Swamy Varla Devasthanam, Indrakeeladri, Vijayawada**

Present :- M. Raghunath, B.Sc., B.L.,  
 Joint Commissioner &  
 Executive Officer

**Proceedings in RC No. A1/627/2011 Dt: 04-1-2012**

Sub: Establishment Sri Durga Malleswara Swamy Varla Devasthanam,  
 Indrakeeladri, Vijayawada- Regularization of Services of Sri G.V. Krishna Rao,  
 Sri A. Nadhuram, Sri Y. Venkateswara Rao care takers of Arundal Choultry and  
 petitioners in WP No. 2521/2008 - Orders - Issued.

- Ref: 1) This Office RC No. A1/4704/2001 Dt: 15-12-2003  
 2) D.O. No. A1/295/2/2001 Dt: 15-4-2005 of the Commissioner,  
 Endowments Department, Hyderabad  
 3) This office RC No. A1/4704/2001 Dt: 21-4-2005  
 4) G.O. Ms. No. 1422 Rev(Endts-I) Dt: 27-5-2005 from Government of  
 Andhra Pradesh  
 5) Orders of the Hon'ble High Court in WP MP No. 4637/2006 in WP  
 No. 3719/2006 Dt: 25-4-2006 filed by Smt N.V. Lakshmi Prasanna, Receptionist  
 6) Hon'ble High Court in WP MP No. 15706/2006 in WP No. 12652/2006  
 Dt: 18-11-2006 filed by Sri S. Sriram Murthy, Mike operator of the  
 Devasthanam  
 7) Orders of Hon'ble High Court in WP No. 201/2006 Dt: 14-1-2006  
 8) Government Memo No. 8029/Endts-I (2)/2006 Dt: 15-12-2008  
 9) Orders of the Hon'ble High Court in WP No. 2521/2008 Dt: 29-1-2011  
 10) Representation from Sri G.V. Krishna Rao and 2 others Dt: 19-2-2011  
 11) This office letter in RC No. A1/627/2011 Dt: 6-4-2011 addressed to the  
 Standing Counsel  
 12) Opinion of the Standing Counsel  
 13) Representation from Sri G.V. Krishna Rao and 2 others Dt: 12-11-2011

It is submitted that the Commissioner, Endowments Department, Hyderabad  
 in RC No. 12/12961/91 Dt: 7-4-2000 has accorded permission to the Executive  
 Officer of this Devasthanam to regularise the services of Sri G.V. Krishna Rao and  
 2 others. Accordingly, the Executive Officer of the Devasthanam has issued  
 proceedings in RC No. A1/4704/2001 Dt: 21-4-2005 regularising the services of  
 Sri G.V. Krishna Rao and two others designating them as care takers in the time  
 scale of Record Assistants.

In G.O. Ms. No. 1422 Rev(Endts-I) Dt: 27-5-2005 Government have pleased  
 to issue orders placing the orders passed by the former Commissioner,  
 Endowments Department, Hyderabad in abeyance. Basing on the instructions of the  
 Commissioner, Endowments Department, Hyderabad and Government, the  
 Executive Officer of the Devasthanam has cancelled the regularisation orders issued  
 in favour of Sri G.V. Krishna Rao and 2 others vide proceedings of the Devasthanam  
 in RC No. A1/4704/01 Dt: 30-12-2005. Aggrieved by the orders of the Executive  
 Officer Dt: 31-12-2005, Sri G.V. Krishna Rao and 2 others approached the Hon'ble  
 High Court through WP No. 201/06. The Hon'ble High Court has issued orders in the  
 WP No. 206/2006 Dt: 14-1-2006 as detailed below.

- a) The 1<sup>st</sup> respondent, the Government of AP., shall issue a show cause  
 notice to the petitioners, pointing out the defects in the order of  
 appointment issued in favour of the petitioners. On a consideration of the  
 same, the Government shall pass appropriate orders, within two months  
 from the date of receipt of a copy of this order.

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- b) Pending such proceedings, the petitioners shall be continued in service, subject to the same terms and conditions, as were applicable to them, before they came to be appointed on regular basis.
- c) In case, the enquiry is not concluded within the period stipulated above, or no extension, sought for, is granted, the petitioners shall be entitled to the benefit of orders of regular appointment, without prejudice to the right of the Government, to take further steps.

In pursuance to the orders issued by the Hon'ble High Court in WP No.201/2006 Dt: 14-1-2006, the Government of Andhra Pradesh have issued directions to the Commissioner, Endowments Department, Hyderabad to fill up newly created RA posts.

As the orders of the Hon'ble High Court issued in WP No.201/06 Dt:14-1-06 the petitioners have approached Hon'ble High Court of AP through WP No.2521/2008 with a prayer for regularisation of their services on the basis of earlier orders issued by the Commissioner, Endowments Department, Hyderabad and consequential orders issued by the Executive Officer in D.D:IS No.A1/29572/2001 Dt: 14-5-2005 and RC No.A1/4704/2001 Dt: 21-4-2005.

The W.P.No.2521/2008 was disposed off by the Hon'ble High Court on 29-1-2011 with directions to the respondents to treat the petitioners as regular employees with effect from 15-4-2005 and consequently pay them the regular pay scale on the basis of their regularisation of their services with effect from that date. The above orders were issued by the Hon'ble High Court considering the following:

That no enquiry was conducted even though the petitioners submitted detailed explanation for the show cause notice issued on them and even after submission of remarks by the 3<sup>rd</sup> respondent i.e. the Executive Officer of the Devasthanam, No counter was filed by 1<sup>st</sup> respondent i.e. the Government. The Assistant Government Pleader has stated that no orders has been passed pursuant to the show cause notice dt:1-3-2006. Thus, clause (c) of the judgement of the Hon'ble High Court in WP No. 201/2006 Dt: 4-1-2006 would come into operation.

In reply to the Devasthanam letter in RC No. A1/627/2011 Dt: 6-4-2011 the Standing counsel has offered his considered opinion to implement the High Court orders subject to final orders to be passed by the Hon'ble High Court in W.A. to be filed against the order in WP No. 2521/2008 Dt: 29-1-2011. As per the letter from the standing counsel dt:12-11-2011 a Writ appeal was filed against the WP No.2521/2008 and it is pending on the file of High Court.

The petitioners in WP No.2521/2008 have requested for implementation of the High Court orders dt:29-1-2011 and regularise their services with effect from 15-4-2005. They are also agreed not to claim the monitory benefits from 15-4-05 and requesting for the monitory benefit from the date of implementation PRC -2010 i.e. from 01-02-2010.

Smt N.V.Lakshmi prasanna, Receptionist and Sri S.Sriram Murthy, Mike operator are continuing service as per the High Court interim orders issued in WPMP No.4624/2006 In WP No. 3719/2006 Dt: 25-4-2006 and WPMP No 15076/2006 in WP No. 12657/2006 Dt: 14-1-2006

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...continuing and enjoying all the benefits basing on the interim orders issued by the Hon'ble High Court.

The case of care takers is also similar to the above. But, in case of care takers the Hon'ble High Court has been pleased to issue final orders in WP No. 2521/2008 to the effect that the petitioners have to be treated as regular employees with effect from 15-4-2005 and consequently pay them the regular pay scale on the basis of their regularisation in service from such date. As per those orders the petitioners have to be treated in service from 15-4-2005. They agreed to forego the monitory benefits. The standing counsel has opined that the judgement in WP No.2521/2008 may be implemented as no counter was filed by Commissioner, Endowments Department, Hyderabad and Government subject to the result of the WA to be filed against the orders in WP 2521/2008. Accordingly WA was filed.

As per the judgement in WP No.2521/2008 the petitioners should be treated as regular employees i.e. care takers in Record Assistant cadre with effect from 15-4-2005. As they have agreed to fore go the monitory benefits from 15-4-2005 and requesting for monitory benefits from the date of implementation PRC-2010 i.e from 1-2-2010. If the appeal filed against the judgement in WP No.2521/2008 was not allowed the Devasthanam has to treat the three petitioners as regular employees with effect from 15-4-2005 and has to pay salaries with emoluments from that date. Now the petitioners came forward to fore go the arrears. The standing counsel has also opined to implement the judgement in WP No.2521/2008 Dt.29-1-2011 subject to the result of the WA.

Therefore, Sri G.V.Krishna Rao, Sri A.Nadhuram and Sri Y.Venkateswara Rao are treated as regular employees in the cadre of Record Assistants/ Care takers as observed by the Hon'ble High Court in WP No.2521/2008 from 15-4-2005 notionally, allowing monitory benefits from 1-1-2012 subject to the result of WA filed against judgment in WPNo.2521/2008 Dt.29-1-2011 of the Hon'ble High Court.

Orders of fixation of pay will be issued separately.

M. Anurag Kumar  
Joint Commissioner &  
Executive Officer

To

- 1) Sri G.V.Krishna Rao
- 2) Sri A.Nadhuram
- 3) Sri Y.Venkateswara Rao
- 4) Copy to Pay Bill Clerk
- 5) Copy to A.A.O., State Audit, SDMSD, VJA

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PROCEEDINGS OF THE EXECUTIVE OFFICER & JOINT COMMISSIONER  
Sri Durga Malleswara Swamy Varla Devasthanam, Indrakeeladri, Vijayawada

Present : M.Raghunath, B Sc., B.L..  
Joint Commissioner & Executive Officer

Proceedings in. RC No. A1/527/2011 Dt:04-1-2012

Sub: Establishment Sri Durga Malleswara Swamy Varla Devasthanam, Indrakeeladri, Vijayawada Regularization of Services of Sri G.V.Krishma Rao, Sri A.Nadhuram, Sri Y.Venkateswara Rao care takers of Arundal Choultry and petitioners in WP No.2521/2008-Orders Issued.

Ref:

- 1) This Office RC No.A1/4704/2001 Dt: 15-12-2003
- 2) D.Dis No. A1/299/2/2001 Dt: 15-4-2005 of the Commissioner. Endowments Department, Hyderabad.
- 3) This office RC No. A1/4704/2001 Dt:21-4-2005
- 4) G.O Ms.No. 1422 Rev(Endts-1) Dt: 27-5-2005 from Government of Andhra Pradesh
- 5) Orders of the Hon'ble High Court In WP MP No. 4637/2006 WP No.3719/2006Dt:25-4-2006 filed by Smt N.V.Lakshmi Prasanna, Receptionist
- 6) Hon'ble High Court in WP MP No. 15706/2006 in WP No. 12652/2006 Dt: 18-11-2006 filed by Sri S.Sriram Murthy, Mike operator of the Devasthanam,
- 7) Orders of Hon'ble High Court In WP No. 201/2006 Dt:14-1-2006.
- 8) Government Memo No.8029/Endts.1 (2)/2006 Dt: 15-12-2008
- 9) Orders of the Hon'ble High Court In WP No.2521/2008 Dt:29-1-2011
- 10) Representation from Sri G.V.Krishna Rao and 2 others Dt: 19-2-2011.
- 11) This office letter in RC No. A1/627/2011 Dt:6-4-2011 addressed to the Standing Counsel.
- 12) Opinion of the Standing Counsel
- 13) Representation from Sri G.V.Krishna Rao and 2 others Dt: 12-11-2011.

It is submitted that the Commissioner, Endowments Department, Hyderabad in RC No. 12/12961/91 Dt: 7-4-2000 has accorded permission to the Executive Officer of this Devasthanam to regularize the services of Sri G.V.Krishna Rao and 2 others. Accordingly, the Executive Officer of the Devasthanam has issued proceedings in RC No. A1/4704/2001 Dt:21-4-2005 regularizing the services of Sri G.V.Krishna Rao and two others designating them as core takers in the time scale of Record Assistants.

In G.O.Ms.No. 1422 Rev(Endts-1) Dt: 27-5-2005 Government have pleased to issue orders placing the orders passed by the former Commissioner, Endowments Department, Hyderabad in abeyance. Basing on

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the instructions of the Commissioner, Endowments Department, Hyderabad and Government, the Executive Officer of the Devasthanam has cancelled the regularization orders Issued in favour of Sri G.V.Krishna Rao and 2 others vide proceedings of the Devasthanam in RC No. A1/4704/01 Dt:30-12-2005. Aggrieved by the orders of the Executive Officer Dt: 31-12-2005, Sri G.V.Krishna Rao and 2 others approached the Hon'ble High Court through WP No. 201/06. The Hon'ble High Court has issued orders in the WP No.206/2006 dt:14-1-2006 as detailed below.

- a) The 1<sup>st</sup> respondent, the Government of AP., shall issue a show cause notice to the petitioners, pointing out the defects in the order of appointment issued in favour of the petitioners. On a consideration of the same, the Government shall pass appropriate orders, within two months from the date of receipt of a copy of this order.
- b) Pending such proceedings, the petitioners shall be continued In service, subject to the same terms and conditions, as were applicable to them, before they came to be appointed on regular basis.
- c) In case, the enquiry is not concluded within the period stipulated above. or no extension, sought for, Is granted, the petitioners shall be entitled to the benefit of orders of regular appointment, without prejudice to the right of the Government, to take further steps.

In pursuance to the orders Issued by the Hon'ble High Court in WP No 201/2006 Dt: 14-1-2006, the Government of Andhra Pradesh have issued directions to the Commissioner, Endowments Department, Hyderabad to fill up created RA posts.

As the orders of the Hon'ble High Court issued in WP No.201/06 Dt:14-1-06 the petitioners have approached Hon'ble High Court of AP through WP No.2521/2008 with a prayer for regularisation of their services on the basis of eariler orders issued by the Commissioner, Endowments Department, Hyderabad and consequential orders Issued by the Executive Officer in D.D.Is No.A1/29572/2001 Dt: 14-5-2005 and RC No.A1/4704/2001 Dt: 21-4-2005.

The W.P.No.2521/2008 was disposed off by the Hon'ble High Court on 29-1-2011 with directions to the respondents to treat the petitioners as regular employees with effect from 15-4-2005 and consequently pay them the regular pay scale on the basis of their regularisation of their services with effect from that date. The above orders were Issued by the Hon'ble High Court considering the following.

That no enquiry was conducted even though the petitioners submitted detailed explanation for the show cause notice issued on them and even after submission of remarks by the 3<sup>rd</sup> respondent i.e. the Executive Officer of the Devasthanam. No counter was filed by 1<sup>st</sup> respondent i.e. the Government. The Assistant Government Pleader has stated that no orders has been passed pursuant to the show cause notice dt:1-3-2006. Thus, clause (c) of the

judgement of the Hon'ble High Court in WP No. 201/2006 Dt: 4-1-2006 would come into operation.

In reply to the Devasthanam letter In RC No. A1/627/2011 Dt: 6-4-2011 the Standing counsel has offered his considered opinion to Implement the High Court orders subject to final orders to be passed by the Hon'ble High Court In W.A. to be filed against the order in WP No. 2521/2008 Dt: 29-1-2011. As per the letter from the standing counsel dt: 12-11-2011 a Writ appeal was filed against the WP No.2521/2008 and it is pending on the file of High Court.

The petitioners In WP No.2521/2008 have requested for implementation of the High Court orders at: 29-1-2011 and regularize their services with effect from 15-4-2005. They are also agreed not to claim the monitory benefits from 15-4-05 and requesting for the monitory benefit from the date of implementation PRC-2010 e. from 01-02-2010.

Smt N.V.Lakshmiprasanna, Receptionist and Sri S.Sriram Murthy, Mike operator are continuing service as per the High Court Interim orders issued in WPMP No.4624/2006 in WP No. 3719/2006 Dt: 25-4-2006 and WPMP No 15076/2006 in W.P.NO. 12652/2006. Continuing and enjoying all the benefits basing on the interim orders issued by the Hon'ble High Court.

The case of care takers is also similar to the above. But, in case of care takers the Hon'ble High Court has been pleased to issue final orders in WP No. 2521/2008 to the effect that the petitioners have to be treated as regular employees with effect from 15-4-2005 and consequently pay them the regular pay scale on the basis of their regularisation In service from such date. As per those orders the petitioners have to be treated in service from 15-4-2005. They agreed to forego the monitory benefits. The standing counsel has opined that the Judgement In WP No.2521/2008 may be Implemented as no counter was filed by Commissioner, Endowments Department, Hyderabad and Government subject to the result of the WA to be filed against the orders in WP 2521/2008. Accordingly WA was filed.

As per the judgement In WP No.2521/2008 the petitioners should be treated as regular employees i.e. care takers in Record Assistant cadre with effect from 15-4-2005. As they have agreed to fore go the monitory benefits from 15-4-2005 and requesting for monitory benefits from the date of Implementation PRC-2010 i.e from 1-2-2010. If the appeal filed against the judgement in WP No.2521/2008 was not allowed the Devasthanam has to treat the three petitioners as regular employees with effect from 15-4-2005 and has to pay salaries with emoluments from that date. Now the petitioners came forward to fore go the arrears. The standing counsel has also opined to Implement the judgement in WP No.2521/2008 Dt:29-1-2011 subject to the result of the WA.

Therefore, Sri G.V.Krishna Rao, Sri A.Nadhuram and Sri Y.Venkateswara Rao are treated as regular employees in the cadre of Record

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Assistants/ Care takers as observed by the Hon'ble High Court In WP No.2521/2008 from 15-4-2005 notionally, allowing monitory benefits from 1-1-2012 subject to the result of WA filed against judgment In WPNo.2521/2008 Dt:29-1-2011 of the Hon'ble High Court.

Orders of fixation of pay will be issued separately.

SD/-xxxx  
Joint Commissioner &  
Executive Officer

To

- 1) Sri G.V.Krishna Rao
- 2) Sri A. Nadhurar
- 3) Sri Y.Venkateswara Rao
- 4) Copy to Pay Bill Clerk
- 5) Copy to A.A.O., State Audit, SDMSD, VJA

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MEMORANDUM OF WRIT PETITION  
(UNDER SEC. 151 C.P.C.)  
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P. No.                      of 2025

Between:

A.Nathuram, S/o. Surya Prakash Reddy,  
Age 54 years, Occ : Junior Assisatnt in  
Sri Durga Malleswara Swamyvarla Devasthanam,  
Indrakeeladri, Vijayawada, NTR District.

...Petitioner

AND

1. The State of Andhra Pradesh,  
Rep. by the Principal Secretary,  
Revenue (Endowments) Department,  
Velgapudi, Amaravathi,  
Guntur District.
2. The Commissioner,  
Endowments Department,  
Gollapudi, Vijayawada,  
Krishna District.
3. Sri Durga Malleswara Swamyvarla Devasthanam,  
Indrakeeladri, Vijayawada, NTR District  
Rep. by its Executive Officer

...Respondents

For the reasons stated in the accompanying affidavit filed in the support of the above writ petition Pending disposal of the writ petition, it is therefore prayed that this Hon'ble Court may be pleased to direct the 3<sup>rd</sup> respondent to consider the petitioner's representations dated 04.12.2024 & 19.01.2025 and pass such order or orders as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.

Amaravati

D.V.   
COUNSEL FOR THE PETITIONER

Date: 07.02.2025

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GP  
DISTRICT :: krishna

HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI

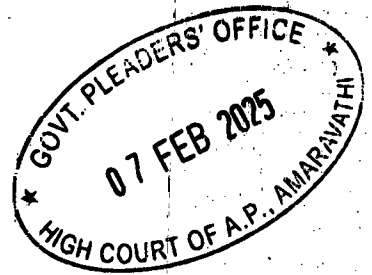
I.A. No. of 2025  
in  
W.P. No. of 2025

Endow

DIRECTION PETITION

cf-101-  
B-901-

Filed on:



SRI D.V.SASIDHAR(10944)  
MVS NIKHIL KASHYAP (23588)  
COUNSEL FOR PETITIONERS

7702237715

