APHC010549782026

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

THURSDAY, THE 15th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 30304/2026

Between:

1. B.RAVI KUMAR, S/O LATE ANANTA REDDY AGED ABOUT 55 YEARS, OCC SECTION OFFICER WORKING AT SECRETARIAT, YOUTH ADVANCEMENT, TOURISM AND CULTURE DEPARTMENT, GOVERNMENT OF A.P. AMARAVATHI, GUNTUR DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP.BY ITS SPECIAL CHIEF SECRETARY TO GOVERNMENT, YOUTH ADVANCEMENT, TOURISM AND CULTURE DEPARTMENT, GOVERNMENT OF A.P. VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT 522237
2. THE DISTRICT COLLECTOR, ANAKAPALLI DISTRICT ERSTWHILE VISAKHAPATNAM DISTRICT 530001

...RESPONDENT(S):

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 toissue an appropriate order, writ or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not releasing the three annual grade increments to the petitioner due on 01.06.2022 and

01.06.2023 whereas withheld due to suspension vide Progs Rc.No.596/2021/A1 Dated 05.07.2021 as illegal, arbitrary, violation of 14,16 and 21 of the Constitution of India, contrary to Rule 24 of Fundamental Rules and against to the Law laid down by the Hon ble High court of AP in WP.No.25050 of 2026 Dated 03.09.2026 and consequently direct the respondents to forthwith release the Annual Grade Increments due to the petitioner 01.06 .2022 and 01.06.2023 along with arrears of pay within a time frame to be fixed by this Hon ble Court, without any further delay

IA NO: 1 OF 2026

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 direct the respondents to release the Annual Grade Increments due to the petitioner for the years 01.06.2022 & 01.06.2023 without any further delay and to pass such

Counsel for the Petitioner:

1. HARINATH REDDY SOMAGUTTA

Counsel for the Respondent(S):

1. GP FOR SERVICES I

The Court made the following:

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY

W.P.No.30304 of 2026

ORDER:

1. The present Writ Petition is filed questioning the action of the Respondents in not releasing the annual grade increments due to the Petitioner for the years 2022 and 2023 and to declare the same as illegal and arbitrary.

2. The Petitioner was initially appointed as Typist in the year 1996 and was promoted to the post of Section Officer on 01.05.2011. While the Petitioner was working as Tahsildar in the office of the Tahsildar, Chodavaram Mandal, Visakhapatnam District, he was placed under suspension w.e.f. 05.07.2021 due to his judicial custody for more than 48 hours. On 24.07.2023, the suspension of the Petitioner was revoked *vide* Memo.No.REV01-LANA0CCLV(ACBC)/25/2021-VIG-III-1, dated 24.07.2023. As annual increments were not sanctioned for the years 2022 and 2023, the present Writ Petition is filed.

3. Learned counsel for the Petitioner relied upon Order passed by the Division Bench of this Court in W.P. No. 6617 of 2004, dated 04.11.2004 and similar Orders passed by this Court in W.P.No.9228 of 2021, dated 13.07.2021,

W.P.No.4553 of 2021, dated 24.02.2021 and W.P.No.15504 of 2009, dated 16.04.2015 and W.P.No.36534 of 2025, dated 31.12.2025. This Court in similar circumstances had directed the Respondent-authorities to sanction the annual grade increments after referring to the provisions of F.R.24.

4. Learned Assistant Government Pleader appearing for the Respondents would submit that the representation of the Petitioner for the purpose as sought would be considered by the Respondent-authorities and an appropriate decision would be taken.

5. Heard both the counsel.

6. The Division Bench of this Court in W.P.No.6617 of 2004 was considering the case of an individual seeking subsistence allowance after factoring in the annual grade increments. The Andhra Pradesh Administrative Tribunal had directed that the subsisting allowance be paid after taking into account the annual increments. In the Writ Petition filed by the State, the Division Bench of this Court, after referring to the provisions of F.R.24, held that unless an order of withholding increments is passed, the same cannot be withheld.

7. The said principle was followed in series of Judgments of this Court in W.P.Nos.9228 of 2021, 4553 of 2021 and

18004 of 2022.

8. In that view, the present Writ Petition is allowed declaring the action of the Respondents in withholding the annual grade increments for the years 2022 and 2023 as illegal, and consequently, the Respondent-authorities are directed to release the annual grade increments due to the Petitioner for the years 2022 and 2023 within a period of one (01) month from the date of receipt of a copy of this order.

9. There shall be no order as to costs.

10. As a sequel, the miscellaneous petitions, if any, pending in this Petition shall stand closed.

NYAPATHY VIJAY, J

Date: 15.10.2026
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THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

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Date: 15.10.2026

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