APHC010554232026

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

THURSDAY, THE 15th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 30388 OF 2026

Between:

1. SUNDARA BABU, S/o. S.G. Ratnam, Aged about 60 years, Working as Contingent Watchman, R/o. D. No. 7/34, TGP Camp Colony, Kambhalapalle Village, Rapur Mandal, Kandaleru Dam, SPSR Nellore District, Andhra Pradesh - 524408.

...Petitioner

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Principal Secretary, Water Resources Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur District, Andhra Pradesh - 522238.

2. EngineerInChief, Water Resources Department, 4th Floor, Jalasoudha, Irrigation Compound, Governorpet, Vijayawada, NTR District, Andhra Pradesh - 520002.

3. Chief Engineer Water Resources Department, Panchayat Raj Office Compound, Marri Chenna Reddy Colony, Tirupati, Tirupati District, Andhra Pradesh -517502.

4. The Superintending Engineer, Water Resources Department, S.S.L.C.and S.B. Circle, Dargamitta, Nellore, SPSR Nellore District, Andhra Pradesh - 524003.

5. The Executive Engineer, Water Resources Department, S.S.L.O and SB Division No. II, Nellore, SPSR Nellore District, Andhra Pradesh - 524001.

6. The Deputy Executive Engineer, Water Resources Department, S.S.L.O and SB Division No. IV, Nellore, SPSR Nellore District, Andhra Pradesh - 524412.

...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 toissue a Writ, order or direction more particularly one in the nature of Mandamus, declaring the action of the respondent authorities superannuating the petitioner w.e.f 31.10.2026, on ground of attaining age of 60 years, though petitioner is entitled to be continued up to 62 years, as per the amendment made to the A.P. Public Employment (Regulation of Age of Superannuation) Act, 1984, vide G.O.Ms.No.45 Finance (HR,IVFR and LR) Department dated 02.07.2026, which rules is made there under as illegal, arbitrary and violative of Article 14 of constitution of India, consequently direct the respondents to continue the service of the petitioner up to attaining the age of 62 years, in the interest of justice

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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 continue the services of the petitioner as Contingent Watchman, pending disposal of this writ petition

Counsel for the Petitioner: USTHELA ANILKUMAR

Counsel for the Respondents: GP FOR SERVICES II

The Court made the following order:

HON'BLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No.30388 of 2026

ORDER:

This present Writ Petition is filed questioning the action of Respondent-Authorities in not extending the benefit of enhanced age of superannuation (60 to 62 years) to the Petitioner as per G.O.Ms.No.45, Finance (HR.IV-FR&LR) Department, dated 02.07.2026, as illegal and arbitrary.

2. The Petitioner was initially appointed as 'part time watchman' on 17.08.1987 in the Office of the Deputy Executive Engineer, Telugu Ganga Project, Mechanical Sub Division. At present, the Petitioner is working as Contingent Watchman and has completed 38 years of service. The grievance of the Petitioner now is that he is sought to be superannuated with effect from 31.10.2026 on attaining the age of 60 years and that the benefit of enhanced age of superannuation, i.e., from 60 to 62 years, as per G.O.Ms.No.45, Finance (HR.IV-FR&LR) Department, dated 02.07.2026, was not being extended to him. Hence, the Writ Petition came to be filed.

3. Learned counsel for the Petitioner relied on the Judgment, dated 21.07.2026 in W.P.No.12413 of 2025 and batch to support his contention.

4. Learned Assistant Government Pleader for Services does not dispute the same.

5. This Court disposed of the W.P.No.12413 of 2025 and batch, directing the State Government to examine the issue and take a conscious decision about enhancement of age up-to 62 years to non-regular employees working for a substantial number of years in State departments and State owned/controlled entities.

6. In the light of the same, as the issue involved in the present Writ Petition is squarely covered by the order, dated 21.07.2026, passed in W.P.No.12413 of 2025 and batch, the present Writ Petition is disposed of in terms of the said order.

7. The Registry is directed to append a copy of the order, dated 21.07.2026, passed in W.P.No.12413 of 2025 and batch, to this order. No order as to costs.

As a sequel, miscellaneous petitions, pending if any, shall stand closed.

NYAPATHY VIJAY,J

Date: 15.10.2026
KLP