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APHC010325182021



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

[3330]

WEDNESDAY, THE 8th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No. 19546/2021

BETWEEN:

1.T. KODANDAN, S/o. LATE TULASIRAM AGE 44 YEARS,
WORKING AS H I CLERK, CHITTOOR MUNICIPAL
CORPORATION, CHITTOOR.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, MUNICIPAL ADMINISTRATION DEPT. A.P.
SECRETARIAT, VELAGAPUDI, AMARAVATI.

2.THE DIRECTOR OF MUNICIPAL ADMINISTRATION,
GORANTLA, GUNTUR

3.THE REGIONAL DIRECTOR MUNICIPAL ADMINISTRATION,
ANANTAPUR, DISTRICT, ANANTAPUR.

4.THE CHITTOOR MUNICIPAL CORPORATION, , REP. BY ITS
COMMISSIONER, CHITTOOR TOWN, CHITTOOR DISTRICT.

...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 to issue a Writ, Order or direction more in the nature of Mandamus declaring the inaction on the part of the

respondents in considering the petitioner's representation dated Nil, submitted on 04.06.2014 and dated.10.02.2021 requesting the respondents to promote him as Junior Assistant in the office of the 4th respondent Municipal Corporation as illegal arbitrary and violation of the Article 14 and 16 of the Constitution of India and against to the principles of natural justice and consequently direct the respondents to consider his representation dated Nil, submitted on 04.06.2014 and dated.10.02.2021 and promote him as Junior Assistant in accordance to the rules in the office of 4th respondent Municipal Corporation in the interest of Justice and to pass such other order or orders.

Counsel for the Petitioner:

- 1.KISHORE KUMAR.A

Counsel for the Respondent(S):

- 1.POTHAM VENGALA REDDY SC For M.Corporation in Rayalaseema region In
- 2.GP FOR SERVICES III
- 3.SURESH KUMAR REDDY KALAVA

The Court made the following:

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“.....to issue a Writ, Order or direction more in the nature of Mandamus declaring the inaction on the part of the respondents in considering the petitioner’s representation dated Nil, submitted on 04.06.2014 and dated 10.02.2021 requesting the respondents to promote him as Junior Assistant in the office of the 4th respondent Municipal Corporation as illegal arbitrary and violation of the Article 14 and 16 of the Constitution of India and against to the principles of natural justice and consequently direct the respondents to consider his representation dated Nil, submitted on 04.06.2014 and dated 10.02.2021 and promote him as Junior Assistant in accordance to the rules in the office of 4th respondent Municipal Corporation in the interest of justice.....

2. The petitioner was appointed as Gang Cooly on compassionate grounds vide order in Roc.No.3681/2004/E1/C1, by the 4th respondent-Commissioner, Municipal Corporation, Chittoor. The petitioner herein made applications dated 18.07.2013 and 04.06.2014 before the 3rd and 4th respondents to consider his case to the post of Junior Assistant, being graduate and he is also completed typewriting lower and higher grades in English from the State Board of Technical Education and Training and also possessed requisite qualification to the post of Junior Assistant. Instead of considering his case for the post of Junior

Assistant, the petitioner was posted as Bill Collector in the existing vacancy on deputation on 09.01.2014 and later the petitioner was posted as G3 Clerk in the existing vacancy vide order dated 19.06.2014 and thereafter the petitioner was posted on H1 Clerk (UPA) in the office of the 4th respondent vide order dated 12.01.2016. Without considering the skills and higher educational qualifications of the petitioner and despite eligibility to the post of the Junior Assistant, the respondents have not taken any action on the applications dated 18.07.2013 and 04.06.2014, hence filed the present Writ Petition seeking a direction to the respondents to appoint him as Junior Assistant as he is eligible to be appointed as Junior Assistant.

3. Learned counsel for the for respondent No.4 filed counter affidavit and stated that on the date of deposing the affidavit there are no vacancies available and the petitioner will be promoted as Junior Assistant as per rules. If he is unwilling to render his services as Junior Assistant post on deputation he may be served at his original post as Gang Coolli. On the availability of the vacancies, the petitioner will be promoted and posted as Junior Assistant by strictly following the Circular Order Roc.No.1660/2015/K1-1 dt.27.02.2015.

4. Learned counsel for the petitioner stated that as per the proceedings dated 25.01.2021 of the 4th respondent-Municipal Commissioner, there are three vacancies in the cadre of Junior

Assistant and the respondents wantonly not promoting the petitioner as Junior Assistant. Therefore, the counsel appearing for the petitioner implored to direct the respondents to appoint the petitioner as Junior Assistant.

5. As per the proceedings dated 25.01.2021, there are three vacancies available in the cadre of Junior Assistant and it appears that the respondents are not interested to promote the petitioner as Junior Assistant. The assertion that made in the counter affidavit that the petitioner will be posted on his original post as Gang Cooli, undermines the petitioner and it is highly regrettable.

6. Therefore, the present Writ Petition is disposed of directing the respondents herein to consider the case of the petitioner to promote as Junior Assistant if he is otherwise eligible as expeditiously as possible within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs.

As a sequel, interlocutory applications, if any, pending in this writ petition shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 08.07.2026

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Whether the order is:

Speaking Yes/No / Reasoned Yes/No

Reportable Yes/No / Non-Reportable Yes/No

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

W.P.No. 19546 of 2021

Date: 08-07-2026

Harin