



IN THE HIGH COURT OF ANDHRA PRADESH : AMARAVATI

HON'BLE MR. JUSTICE ARUP KUMAR GOSWAMI, CHIEF JUSTICE

&

HON'BLE MR. JUSTICE C. PRAVEEN KUMAR

WRIT PETITION Nos.7934, 8763, 8692, 9132, 9139, 9140,9148, 9152, 9158, 9164, 9166, 9168, 9169, 9170, 9184, 9192,9266 and 9269 of 2019;23455, 24229, 24307, 24333, 24427,24519, 24520, 24676,24812, 24850, 25172, 25345, 25486,25512,25597,25599, 25600, 25605, 25718, 25760 and 25789 of 2020; 83, 475, 479, 497, 610, 1023, 1213, 1252 and 1795 of 2021

(Taken up through video conferencing)

W.P.No.7934 of 2019

U. Surekha, D/o U. Harinath,
Aged about 29 Yrs, Occ: Advocate,
R/o 35/125-AI, Kummari Street,
Kurnool, Kurnool District, A.P.
..Petitioner

Versus

The State of Andhra Pradesh
Rep. by its Principal Secretary,
Law Department, Secretariat,
Velagapudi,A.P., and another

..Respondents

Counsel for the Petitioner : Mr. Y. Balaji
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for the respondent No.2 : Ms. Himabindu

W.P.No.8692 of 2019

M. Indu, D/o M. Ashok Kumar,
Aged 24 Years, Occ: LLB Completed,
R/o H.No.11-10-756, Raparthi Nagar,
Khammam Town and District
.. Petitioner

Versus

State of A.P., Rep by its Chief Secretary,



Law (LA & JSC F) Department,
Secretariat, Velagapudi, Amaravathi,
Guntur District, and another

..Respondents

Counsel for the petitioner : Mr. BabujiTenneti
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Ms. Himabindu

W.P.No.8763 of 2019

M. Komal Kumar, S/o M.S.S Simhagiri Patnaik,
Aged about 23 years, R/o Flat No.201,
NavyaPriya Enclave,Vibhav Nagar,
Kommadi Junction, Madhuravada,
Visakhapatnam-530045 and others.

.. Petitioners

Versus

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Law Department, Secretariat,
Velagapudi, Amaravathi,
Guntur District, A.P. and others.

..Respondents

Counsel for the petitioners : Mr. SurepalliPrashanth
Counsel for respondent Nos.1&2 : GP for Law & Legislative Affairs
Counsel for respondent No.3 : Ms. Himabindu

W.P.No.9132 of 2019

Reddy Maitraie, D/o.Satyanarayana Murthy,
Aged about 25 years,R/o.Dr.No.15-134/1,
Beside MDO Office,Mummidivaram,
East Godavari District – 533 216.

..Petitioner

Versus

The State of Andhra Pradesh,
rep. by its Principal Secretary,
Law Department,Secretariat,
Velagapudi, Andhra Pradeshand another.

..Respondents

Counsel for the petitioner : Mr. G. Rama Gopal
Counsel for respondent No.1 : GP for Law & Legislative Affairs



Counsel for respondent No.2 : Ms. Himabindu

W.P.No.9139 of 2019

MakarlaPoojitha, D/o M. Narayana,
Aged about 24 years, Occ: Advocate,
R/o H.No.8-9,Nethaji Nagar, Bandlaguda,
Ramachandrapuram(Mandal),
Sangareddy District, T.S and others.

.. Petitioners

Versus

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Law Department, Secretariat,
Velagapudi, Amaravathi,
Guntur District, A.P. and others.

..Respondents

Counsel for the petitioners : Mr. SurepalliPrashanth

Counsel for respondent Nos.1 & 2 : GP for Law & Legislative Affairs

Counsel for respondent No.3 : Ms. V. Himabindu

W.P.No.9140 of 2019

MadhireRanga Sai Reddy,
S/o.Poli Reddy, Age31 years,
H.No.6-1,RamapuramVillage,
Somidevipalli Post, Racherla Mandal,
Prakasam District, A.P. 523368 and others.

.. Petitioners

Versus

The State of Andhra Pradesh,
Rep., by its Principal Secretary, Law Department,
Secretariat, Velagapudi,Amaravathi,
Guntur District, A.P. and others.

..Respondents

Counsel for the petitioners : Mr. Nomula Srinivas

Counsel for respondent Nos.1&2 : GP for Law & Legislative Affairs

Counsel for respondent No.3 : Ms. V. Himabindu

W.P.No.9148 of 2019

PathivadaManasa, D/o PathivadaAppala Naidu,
Aged about 28 years, Occ: Advocate,
R/o ChallavanithotaVillage, Rellivalasa Post,



2021:APHC:4603

4HCJ & CPK,J

W.P.No.7934 of 2019 & batch

Pusapatirega Mandal,Vizianagaram District, and another.

.. Petitioners

Versus

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Law Department, Secretariat,
Velagapudi,Amaravathi, Guntur District,
and anothers.

..Respondents

Counsel for the petitioners : Ms. TaddiSowmya Naidu
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Ms. V. Himabindu

W.P.No.9152 of 2019

KaruturiHemaBindhu, D/o. K. Srinivas Rao,
Aged about 24 years, R/o. Flat No.102,
SriPrahasaTowers, Sri Ramchandra Nagar,
Vijayawada- 520 008

.. Petitioner

Versus

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Law Department, Secretariat,
Velagapudi, Amaravathi, Guntur District,
A.P and others.

.. Respondents

Counsel for the petitioner : Mr. Devi Prasad Mangalapuri
Counsel for respondent Nos.1 & 2 : GP for Law & Legislative Affairs
Counsel for respondent No.3 : Ms. V. Himabindu

W.P.No.9158 of 2019

BattulaAkhila, D/o BattulaAdinarayana,
Age 26 years, R/o D.No.15-6-24,
Sattenapalli Town, Guntur District

.. Petitioner

Versus

The State of A.P.,
Rep. by its Principal Secretary,



Law Department, Secretariat,
Amaravati and another.

.. Respondents

Counsel for the petitioner : Mr. Thota Ramakoteswara Rao
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Ms. V. Himabindu

W.P.No.9164 of 2019

K. Kaushik, S/o Dr.K.Manmadha Rao.
Age 23 years, Advocate, F.No.302,
Comfort Homes, Haailand Road,
Chinakakakani Mangalagiri,
Guntur Dist-522503, and others.

.. Petitioners

Versus

The State of Andhra Pradesh
Rep., by its Principal Secretary,
Law Department, Secretariat,
Velagapudi A.P., and another.

.. Respondents

Counsel for the petitioners : Mr. Suresh Kumar Routhu
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Ms. V. Himabindu

W.P.No.9166 of 2019

Vendoti Silpa, D/o.Pardhasaradhi Reddy,
Age 33 years, Occ: Advocate,
H.No.27-2-294, Ramjinagar,
Near Children Park, Nellore, Dargamitta,
Andhra Pradesh and others.

.. Petitioners

Versus

The State of Andhra Pradesh.,
Rep. by its Principal Secretary,
Law Department, Secretariat,
Velagapudi, Andhra Pradesh and another.

.. Respondents

Counsel for the petitioners : Mr. Y. Balaji
Counsel for respondent No.1 : GP for Law & Legislative Affairs



Counsel for respondent No.2 : Ms. V. Himabindu

W.P.No.9168 of 2019

MounikaBonige, D/o. B. Vinaykumar,
Aged about 26 years, Practicing Advocate,
R/o. Flat No.402-A Block, River Oaks Apartments,
Christianpet, Tadepalli-522 501,
Krishna District,and others.

.. Petitioners

Versus

The State of Andhra Pradesh,
Law Department, Secretariat Buildings,
Velagapudi, Guntur District, Andhra Pradesh,
Rep. by its Principal Secretary, and another.

..Respondents

Counsel for the petitioners : Mr. Chalasani Ajay Kumar
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Ms. V. Himabindu

W.P.No.9169 of 2019

K.Mamatha Reddy D/o K.Sarweswar Reddy,
Aged about 25 years, R/o D.No.1-651,
Rudrampeta,Ananthapur,
Ananthapur District-515 004.

.. Petitioner

Versus

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Law Department, SecretariatBuildings,
Velagapudi at Amaravathi, Guntur District,
and another.

..Respondents

Counsel for the petitioner : Mr. Harish Kumar Rasineni
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Ms. V. Himabindu

W.P.No.9170 of 2019

M.Tejaswi, D/o M.Toyeji Rao,



2021:APHC:4603

7HCJ & CPK,J

W.P.No.7934 of 2019 & batch

Aged about 25 Yrs, Occ: Law Clerk,
R/o: Flat No.1104, Tower-20,PrajayMegapolis,
K.P.H.B Phase9,Kukatpally,Hyderabad,
Hyderabad District,Telangana-500072.

.. Petitioner

Versus

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Law Department, Secretariat,
Velagapudi, A.P., and another.

..Respondents

Counsel for the petitioner : Mr. Y. Balaji
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Ms. V. Himabindu

W.P.No.9184 of 2019

RavuriLeela Sai Sampath,
S/o. R. Siva Sai Swarup,Aged 23 years,
Occ: Advocate, R/at FF 5,Undavalli,
Amaravathi Road, Guntur District.

.. Petitioner

Versus

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Law Department, Secretariat,
Velagapudi, Amaravathi, Guntur District,
A.P. and others

..Respondents

Counsel for the petitioner : Mr. M. Surya Kumar
Counsel for respondent Nos.1 & 2 : GP for Law & Legislative Affairs
Counsel for respondent No.3 : Ms. V. Himabindu

W.P.No.9192 of 2019

Ganipalli Billy Graham Isaac, S/o G/Bhushanam,
Aged about 26 years, Practicing Advocate,
R/o D.No.15-13-224/B, R.T.C Colony,
1 / 4 Lane,Opp:SaibabaTemple,
Guntur-522 001,Andhra Pradesh.

..Petitioner

Versus

The State of Andhra Pradesh,
Law Department, Secretariat Buildings,



Velagapudi, Guntur District,
Andhra Pradesh, Rep., by its Principal Secretary,
and another

.. Respondents

Counsel for the petitioner : Mr. Chalasani Ajay Kumar
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Ms. V. Himabindu

W.P.No.9266 of 2019

LalithaKilarapu, D/o Sambasiva Rao,
Aged about 27 years, Occ: Advocate,
R/o D.No.15-2-65, Old Bus Stand, Sattenapalli,
Guntur District, and another.

..Petitioners

Versus

The State of Andhra Pradesh
Rep., by its Principal Secretary,
Law Department, Secretariat,
Secretariat, Velagapudi, Amaravathi,
Guntur District, A.P., and others.

.. Respondents

Counsel for the Petitioners : Mr. C.B. Adarsh Kumar
Counsel for respondent Nos.1 &2 : GP for Law & Legislative Affairs
Counsel for respondent No.3 : Ms. V. Himabindu

W.P.No.9269 of 2019

Mare Vijaya Lakshmi, D/o. Mare Rama Rao,
Aged about 25 yrs, Occ: Advocate,
R/o H.No.7-28, Main Road, Tanuku Mandal,
Tetali, West Godavari District, and others.

..Petitioners

Versus

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Law Department, Secretariat,
Velagapudi, Andhra Pradesh and another.

.. Respondents

Counsel for the petitioners : Mr. Y. Balaji
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Ms. V. Himabindu



W.P.No.23455 of 2020

VedullapalliLeelakrishna Sai Prasad,
S/o Ramakrishna, Aged 25 years,
Occupation: Advocate (AP/937/2018),
R/o H.No.14-9-2/3,DoralaVeedhi,
YagarlapalliTadepalligudem,
West Godavari District- 534102, and others.

..Petitioners

Versus

The State of A.P., Rep by its Principal Secretary,
LAW (LA&J SC.F) Department, Secretariat,
Velagapudi, Guntur Dt and another.

.. Respondents

Counsel for the petitioners : Mr. ThandavaYogesh
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.24229 of 2020

Chilakapati Ananta Aditya, S/o ChilakapatiMadhuBabu,
Aged 26 years,Occ: Advocate,
R/o Flat No.401,Royal Enclave,
APJ Abdul Kalam Road,Mahatma Gandhi
Inner Ring Road,Guntur – 522034.

..Petitioner

Versus

The State of Andhra Pradesh
Rep. by its Principal Secretary,
Law Department, Secretariat,
Velagapudi,Amaravathi, Guntur District,
Andhra Pradesh and others.

..Respondents

Counsel for the petitioner :Mr. GoddindlaUday Prakash Reddy
Counsel for respondent Nos.1&2 : GP for Law & Legislative Affairs Counsel
for respondent No.3: Mr. N. Ashwani Kumar

W.P.No.24307 of 2020

PalleboyinaSwathi D/o P. Srinivasu,
Aged 28 years, Occ: Advocate,
R/o 4-14-214, Amaravathi Road,



2021:APHC:4603

10HCJ & CPK,J

W.P.No.7934 of 2019 & batch

Venugopalnagar, Koritepadu,
3rd Lane, Anjaneyapet,
Guntur – 522007 and others.

..Petitioners

Versus

The State of Andhra Pradesh
Rep. By its Chief Secretary,
Law (LA &JSC.F) Department,
Secretariat at Amaravathi and another.

.. Respondents

Counsel for the petitioners : Mr. G. ArunShowri
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.24333 of 2020

VadlapatlaDishaChowdary,
D/o V.Lokanadha Naidu,aged about 22 years,
Occ: Advocate,R/o D.No.22-174/1,
Mallikarjuna Colony,Kattamanchi,
Chittoor Town & District

..Petitioner

Versus

The State of Andhra Pradesh,
rep. by Secretary, Law Department,
Secretariat, Velagapudi, Andhra Pradesh, and another.

..Respondents

Counsel for the petitioner : Mr. VirupakshaDattatreya Gouda
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.24427 of 2020

Satyannagari Anurag, S/o S. Shankar Narayana,
Aged about 24 Yrs, Occ: Advocate,
R/o. 81-172/C/2,Ramakrishna Nagar,
Kallur, Inside Ramachandra Nagar,Kurnool,
Kurnool Camp-b,Kurnool, A.P.518 002, and others.

..Petitioners

Versus



The State of Andhra Pradesh
Rep by its Principal Secretary,
Law Department, Secretariat,
Velagapudi, A.P., and another.

..Respondents

Counsel for the petitioners : Mr. Y. Balaji
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.24519 of 2020

N.PrasannaKesava, S/o N.ChennaKrishnaiah,
Aged 34 Years,Occ Advocate (AP/671/2019)
R/o. H.No.1/2099-1, Prakash Nagar, Kadapa(M),
YSR Kadapa District- 516004 and others.

..Petitioners

Versus

The State of Andhra Pradesh
Rep. by its Principal Secretary,
Law (LA&J SC.F) Department, Secretariat,
Velagapudi Guntur District and another.

.. Respondents

Counsel for the Petitioners : Mr. ThandavaYogesh
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.24520 of 2020

Ganipalli Billy Graham Isaac, S/o G Bhushanam,
Aged about 27 years, Practicing Advocate,
R/o D.No.14-2-809,Opp.M.P.PElementary School,
EvangelicalChurch of India ,
Ropeway Colony 7thWard,Macherla-522 426,
Guntur District, Andhra Pradesh.

..Petitioner

Versus

The State of Andhra Pradesh,
Law Department,SecretariatBuildings,
Velagapudi, Guntur District, Andhra Pradesh,
Rep. by its Principal Secretaryand another.

..Respondents



Counsel for the Petitioner : Mr. Chalasani Ajay Kumar
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.24676 of 2020

B. Mohan Krishna, S/o B. Jammanna,
Occ Advocate Enrollment ID (AP/2276/2019),
Aged about 25 years, D.No.3/329A,
E. Thandrapadu Village, Kurnool Mandal District- 518004
and others.

..Petitioners

Versus

The State of Andhra Pradesh,
Rep by its Principal Secretary,
Law (LA&J SC.F) Department, Secretariat,
Velagapudi Guntur Dt. and another.

..Respondents

Counsel for the Petitioners : Mr. P. Aditya Harshavardhan
For M/s Pillix Law Firm
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.24812 of 2020

ThinnaluriKondaiah,
S/o.Narasaiah Aged about 25 years,
D.No.14-63-7,Velluvoluvariveedi,
Morrispet,Tenali Guntur Districtand others.

..Petitioners

Versus

The State of Andhra Pradesh
Rep by its Principal Secretary, Law Department,
Secretariat,Velagapudi, Amaravati,
Guntur Districtand others.

.. Respondents

Counsel for the Petitioners : Ms. MaheswariArika
Counsel for respondent Nos.1 & 2 : GP for Law & Legislative Affairs
Counsel for respondent No.3 : Mr. N. Ashwani Kumar



W.P.No.24850 of 2020

BokkaPrasanthi,
D/o. B. Venkateswarlu, Aged: 24 years,
Occ: Advocate,(AP/1221/2019), D.No.10-33/1,
Bokkavaripalem,Mahadevapatnam,
Undi Mandal, West Godavari District-534199
and others.

..Petitioners

Versus

The State of Andhra Pradesh,
Rep by its Principal Secretary,
LAW (LA&J SC.F) Department,
Secretariat, Velagapudi, Guntur District,
and another.

.. Respondents

Counsel for the Petitioners : Mr. ThandavaYogesh
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.25172 of 2020

GavadakatlaMounika,
D/o Malakondaiah, Aged 23 years,
R/o.1094/C,Immadicheruvu,Veligandla,
PrakasamDistrict- 523224,and others.

..Petitioners

Versus

The State of Andhra Pradesh,
Rep,by its Chief Secretary,
Law (LA & JSC.F) Department,
Secretariat at Amaravathi, and another.

..Respondents

Counsel for the petitioners : Mr. G. ArunShowri
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.25345 of 2020

ShaikAppibhaigariJuber Hussain,
S/o. S.A.Habibulla aged about 23 years,



Occ: Advocate, R/o D.No.13-97,
Khallavedhi, Atmakur, Atmakur Mandal,
Kurnool District, A.P -518422 and another.

..Petitioners

Versus

The State of Andhra Pradesh
Rep. by its Chief Secretary,
Law Department, Secretariat,
Velagapudi, Amaravati, Guntur District
A.P. and others.

.. Respondents

Counsel for the petitioners : Mr. Ambati Sudhakara Rao
Counsel for respondent Nos.1 & 2 : GP for Law & Legislative Affairs
Counsel for respondent No.3 : Mr. N. Ashwani Kumar

W.P.No.25486 of 2020

KallaGunaSekhar,
S/o.KallaAppa Rao, Aged about 22 years,
Occ: Law Clerk, R/o. D.No.6-8, Shri Sai Nilayam
L.N.Puram,RamachandrapuramVillage,
Mangalapalem(B.O),Kothavalasa Mandal,
Vizianagaram District, Andhra Pradesh

..Petitioner

Versus

The State of Andhra Pradesh
Rep. by its Principal Secretary,
Law and legislature Department,
SecretariatBuildings, Velagapudi,
Amaravathi Guntur District and others.

..Respondents

Counsel for the Petitioner : Mr. Dasari S.V.V.S.V. Prasad
Counsel for respondent Nos.1 & 2 : GP for Law & Legislative Affairs
Counsel for respondent No.3 : Mr. N. Ashwani Kumar

W.P.No.25512 of 2020

MarkalPoojitha, D/o.Markal Narayana,
Aged about 25 years, Occ: Student,
R/o. H. No.11-1-883/1/B,
Seetharambagh,Ramleela ground,



2021:APHC:4603

15HCJ & CPK,J

W.P.No.7934 of 2019 & batch

Near Balwin School, Afzal Sagars,
Nampally, Hyderabad-500001, and others.

..Petitioners

Versus

The State of Andhra Pradesh,
Rep. by its Chief Secretary,
LAW (LA & JSCF) Department.
Secretariat, Amaravathi and another.

.. Respondents

Counsel for the petitioners : Mr. M.Sateesh
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.25597 of 2020

Majji Lavanya Rani, D/o Majji Jagannadha Rao,
Aged about 27 years, Occ: Advocate,
R/o H.No.13-02, Cheepurupalli Street,
Bobbili, Bobbili Mandal, Vizianagaram District.

..Petitioner

Versus

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Law Department, Secretariat,
Velagapudi, Amaravathi,
Guntur District, and another.

..Respondents

Counsel for the petitioner : Mr. Taddi Sowmya Naidu
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.25599 of 2020

Yamani Phanindhar, S/o Y.Chenchuramarao,
Aged about 27 years, Occ: Advocate,
R/o. 14-86, Anubroluvaripalem,
Korisapadu, Paidipudu,
Prakasam, A.P.- 523213, and others.

..Petitioners

Versus



The State of Andhra Pradesh,
Rep by its Principal Secretary,
Law Department, Secretariat,
Velagapudi, A.P. and another.

..Respondents

Counsel for the Petitioners : Mr. Y. Balaji
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.25600 of 2020

Navyashri V., D/o VenkataRamana,
aged about 27 Years, R/o.No.71,
Durai Nagar,8th Cross,
Dr.Radhakrishna Nagar Extn,
Vellore– 632006, Vellore District, Tamilnadu.

..Petitioner

Versus

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Law Department, Secretariat,
at Velagapudi, Amaravathi,
Guntur District Andhra Pradesh
and another.

..Respondents

Counsel for the petitioner : Mr. K. Sai Subha Sri
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.25605 of 2020

PanchangamArchishma,
D/o P. SrinivasaCharyulu,
Aged 24 years,Occ: Advocate,
R/o DoorNo.2-222,Avanlgadda,
Krishna District, Andhra Pradesh- 521121

..Petitioner

Versus

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Law Department Secretariat,
Secretariat, Velagapudi, Amaravathi,
Guntur District, A.P. and others.

..Respondents



Counsel for the petitioner : Mr. SurepalliPrashanth
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.25718 of 2020

KudupudiSindhura, D/o K.L.N.Swamy,
Advocate, Aged 25 years, R/o Flat No.114,
Good Life Homes, Chinnakakani,
Mangalagiri,Guntur Dist 522 503.

..Petitioner

Versus

The State of Andhra Pradesh
Rep by its Principal Secretary,
Law Department, SecretariatBuildings,
Velagapudi Guntur District and another

..Respondents

Counsel for the petitioner : Mr. K.L.N. Swamy
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.25760 of 2020

Barama Lakshmi Rajeswari
D/o.BaramaVenkateswara Rao,
Aged 25 years Occ: Advocate,
R/o. EWS 456/1, 2nd Floor,
Near Ram Reddy Chicken Centre,
Road No.3 K.P.H.B. Colony,
Hyderabad. PIN: 500 072

..Petitioner

Versus

The State of Andhra Pradesh
rep by its Chief Secretary,
A.P. Secretariat, Velagapudi,
Amaravathi and others

..Respondents

Counsel for the petitioner : Mr. D. Vijay Goutam
Counsel for respondent Nos.1 & 2 : GP for Law & Legislative Affairs
Counsel for respondent No.3 : Mr. N. Ashwani Kumar



W.P.No.25789 of 2020

P. Raghu Ram, S/o. P. Rama Rao,
aged about 23 years, R/o. 375-A,
Nadendla Village and Mandal,
Guntur District -522234,
State of A.P. and others.

..Petitioners

Versus

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Law Department Secretariat,
at Velagapudi, Amaravathi,
Guntur District, Andhra Pradesh
and another

..Respondents.

Counsel for the petitioners : Ms. K. Sai Subha Sri
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.83 of 2021

MarripatiSruthi, D/o. M.VenkataRamana,
R/o.1-120, Block-1,Sivalayam Temple Street,
Kalavalapalli Village, West Godavari,
Andhra Pradesh- 534301 and others.

..Petitioners

Versus

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Law Department Secretariat,
at Velagapudi,Amaravathi,
Guntur District, Andhra Pradesh
and another

..Respondent

Counsel for the petitioners : Mr. MaripatiMaharshiViswaraj
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.475 of 2021

Chimta Srihari, S/o Ramakotaiah,
Aged 29 years,Occ: Advocate,



2021:APHC:4603

19HCJ & CPK,J

W.P.No.7934 of 2019 & batch

R/o. 1-42, Old Singarayakonda,
Singarayakonda,Prakasam District.

..Petitioner

Versus

The State of Andhra Pradesh,
rep. by its Chief Secretary,
A.P. Secretariat, Velagapudi,
Amaravathi and others.

..Respondents

Counsel for the petitioner : Mr. D. Vijay Gowtam
Counsel for respondent Nos.1&2 : GP for Law & Legislative Affairs
Counsel for respondent No.3 : Mr. N. Ashwani Kumar

W.P.No.479 of 2021

M.D. Deepika, D/o. M.S. Victor Bob,
Aged 29 Years Occ: Advocate, (AP/1172/2018),
R/o. D.No.8-8-4, G2,GuttumukalaMansion,
Tirumala Rao street,1st floor,
Gandhinagar,Kakinada,
East Godavari-533001, and others.

..Petitioners

Versus

The State of Andhra Pradesh
Rep. by its Principal Secretary,
LAW (LA&J SC.F) Department,
Secretariat, Velagapudi,
Guntur District, and another

..Respondents

Counsel for the petitioners : Mr. ThandavaYogesh
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.497 of 2021

Mathangi Ajay Kumar, C/o MathangiBaburao,
Aged 29 years, R/o Flat No 104,
Galaxy Apartments,AkulavariThota,
Beside SP Bunglow, Guntur-522004, and others.

..Petitioners

Versus



The State of Andhra Pradesh
Rep By its Chief Secretary,
Law (LA&JSC.F) Department,
Secretariat, at Amaravathi and another.

..Respondents

Counsel for the petitioners : Mr. G. ArunShowri
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.610 of 2021

Muppiri Saran, S/o M.V. Bhaskara Rao,
Aged 25 years, Occupation: Advocate,
(AP/1001/2017), D.No.12-164,
Janapadu Road,Pidugualla, Guntur District,
Andhra Pradesh-522413 and others.

..Petitioners

Versus

State of Andhra Pradesh,
Rep. by its Principal Secretary,
LAW (LA&J SC.F) Department,
Secretariat,Velagapudi,
Guntur District and another

..Respondents

Counsel for the petitioners : Mr. AruvaRaghuramMahadev
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.1023 of 2021

Kona Konda Reddy, S/o Kona Shanmukha Raja Reddy,
Aged about 30 years, R/o. D.No.41-9-1067,
4th Line, 2nd cross,Ambedkar Nagar,
Kakani Road, Guntur District, Andhra Pradesh
and others

..Petitioners

Versus

The State of Andhra Pradesh,
Represented by its Principal Secretary,
Law Department, Velagapudi,
Address Amaravati, Guntur District,
Andhra Pradesh and another.

..Respondents.

Counsel for the Petitioners : Mr. A. RajendraBabu
Counsel for respondent No.1 : GP for Law & Legislative Affairs



2021:APHC:4603

21HCJ & CPK,J

W.P.No.7934 of 2019 & batch

Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.1213 of 2021

ShaikArafath, S/o Shaik Jaleel,
aged about 25 years,R/o.D.No.65-11-1296,
Bhagath Singh Nagar4th Lane,
SuddapalliDonka, Old Guntur,
Guntur – 522001.

..Petitioner

Versus

The State of Andhra Pradesh,
Rep. by Secretary, Law Department,
Secretariat, Velagapudi, Andhra Pradesh,
and another.

..Respondents

Counsel for the petitioner : Mr. VirupakshaDattatreya Gouda
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.1252 of 2021

Pallepagu Devi Priya, D/o PallepaguSreenath,
aged 24 years, Occ: Advocate, R/o. 6-59/4,
Dhanalakshmi Nagar,Tirupathi, Chittoor District, and others.

..Petitioners

Versus

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Law (LA&J-SC.F) Department,
Secretariat, Velagapudi,
Amaravathi Guntur District, and another

..Respondents

Counsel for the petitioners : Mr. P. Nagendra Reddy
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

W.P.No.1795 of 2021

Varada Sridhar, S/o.V.Nageshwara Rao,
Aged about 30 Yrs, Occ: Advocate,



R/o: 10-30/1 Plot. No.261,Visalakshi Nagar,
Guntur,Dayainagar, Andhra Pradesh 530043.

.. Petitioner

Versus

The State of Andhra Pradesh,
Rep by its Principal Secretary,
Law Department, Secretariat,
Velagapudi, A.P.and another.

..Respondents

Counsel for the Petitioner : Mr. Y. Balaji
Counsel for respondent No.1 : GP for Law & Legislative Affairs
Counsel for respondent No.2 : Mr. N. Ashwani Kumar

Date of hearing : 23.02.2021
Date of order : 04.03.2021

COMMON ORDER

Per Arup Kumar Goswami, CJ

This batch of writ petitions can be divided into two categories. In one batch (hereinafter referred to as 'first batch'), the petitioners, apart from praying for setting aside Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007 (for short, 'the Rules'), as illegal, unconstitutional, arbitrary and ultra vires, Notification No.5/2019-RC dated 17.06.2019 issued by the Registrar (Recruitment), High Court of Andhra Pradesh, inviting applications through online for General Recruitment to 38 posts of Civil Judge (Junior Division) in Andhra Pradesh State Judicial Service comprising of 31 vacancies to be filled under Direct Recruitment and 07 vacancies to be filled under Recruitment by Transfer, is also put to challenge.



2. In other batch (hereinafter referred to as 'second batch'), apart from praying for setting aside Rule 5(2)(a)(i) of the Andhra Pradesh State Judicial Service Rules, 2007 (for short, 'the Rules'), as illegal, unconstitutional, arbitrary and ultra vires, Notification No.9/2020-RC dated 03.12.2020 issued by the Registrar (Recruitment), High Court of Andhra Pradesh, inviting applications through online for General Recruitment to 68 posts of Civil Judge (Junior Division) in Andhra Pradesh State Judicial Service comprising of 55 vacancies to be filled under Direct Recruitment and 13 vacancies to be filled under Recruitment by Transfer, is put to challenge.

3. In both the Notifications, eligibility criteria prescribed under Rule 5(2)(a)(i) of the Rules was laid down.

4. Rule 5(2)(a)(i) was substituted through amendment by G.O.Ms.No.29, Law (LA&J-SC.F) Department, dated 28.07.2017.

5. Rule 5 of the Rules prescribes the eligibility conditions for Direct Recruitment, amongst others, to the category of Civil Judges and Rule 5(2)(a)(i), prior to amendment, read as follows:

"5. Eligibility:

1) xxxxx

2) **Civil Judges:**

a) **By Direct Recruitment:** *A person to be appointed to the category of Civil Judges shall be:*

(i) A holder of a degree in law awarded by any University established by Law in India."

6. Presently, after the amendment, Rule 5(2)(a)(i) reads as follows:



"5. Eligibility:

1) xxxxx

2) **Civil Judges:**

a) **By Direct Recruitment:** *A person to be appointed to the category of Civil Judges shall be:*

(i) One who has been practicing for not less than 3 years as an Advocate as on the date of publication of the advertisement in the news papers."

7. In both the batches of writ petitions, the petitioners had not fulfilled the eligibility prescribed under Rule 5(2)(a)(i) in that they had not put in three years of practice as on the date of publication of the advertisement in the newspapers.

8. In terms of the Notification dated 17.06.2019, the closing date for submission of online applications was fixed on 16.07.2019 and Screening Test (ComputerBased Test) was to be conducted on 04.08.2019.

9. In the first batch of writ petitions, an interim order, first in point of time, came to be passed on 12.07.2019, directing the respondent authorities to accept the online applications of the petitioners, if they were otherwise found to be in order, and also to permit them to take the examination. It was further observed that any selection made in respect of the petitioners shall be subject to the result of the writ petitions and that the petitioners shall not claim any equities thereafter. An undertaking to that effect was directed to be taken, at the time of selection, in case the petitioners qualified in the preliminary examination.

10. Accordingly, in the first batch of petitions, the writ petitioners were allowed to appear for the examinations. Out of five candidates who



appeared for viva voce, one came out successful and result of three other candidates, who are writ petitioners, was not declared.

11. After the Notification dated 03.12.2020 was issued, second batch of writ petitions came to be filed. However, unlike in the case of first batch of writ petitions, no interim order was passed directing the authorities to accept the online applications from the writ petitioners and consequently, enabling them to take part in the examination process. Screening test in terms of the Notification dated 03.12.2020 was held on 21.02.2021.

12. Both the batches of writ petitions have been heard together and W.P.No.7934 of 2019 was taken as a lead case.

13. We have heard Mr. Y. Balaji, Mr. Surepalli Prashanth and Mr. Thandava Yogesh, learned counsel for the petitioners, as well as Ms. Sesharajyam, learned senior standing counsel and Mr. N. Ashwani Kumar, learned standing counsel, appearing for the High Court.

Mr. Babuji Tenneti, Mr. G. Rama Gopal, Ms. Taddi Sowmya Naidu, Mr. Aditya Harsha Vardhan representing M/s. Pillix Law Firm, Mr. G. Arun Showri, Mr. Dasari S.V.V.S.V. Prasad, Mr. K.L.N. Swamy, Mr. D. Vijay Goutam, Mr. Maripati Maharshi Viswaraj, Mr. Aruva Raghuram Mahadev, Mr. A. Rajendra Babu, Mr. Virupaksha Dattatreya Gowda, Mr. P. Nagendra Reddy, learned counsel for the petitioners in the other cases, have adopted the arguments advanced by Mr. Y. Balaji and Mr. Thandava Yogesh.

14. Mr. Y. Balaji, learned counsel for the petitioner in W.P.No.7934 of 2019, has submitted that the amendment cannot be sustained in law as the same is contrary to the decision rendered by the Hon'ble Supreme Court in the case of ***All India Judges' Association and others v. Union of India and others***, reported in ***(2002) 4 SCC 247***, and has drawn the



attention of the Court to Paragraphs 32 and 40 to buttress his contention. He has also submitted that similar Rule, namely, Rule 5(2)(a)(i) of Telangana State Judicial Service Rules, was held to be unconstitutional in the case of ***R.Anitha and others v. State of Telangana and another***, reported in ***2019 (6) ALD 625 (TS) (DB)***. He submits that as a logical corollary, Notification dated 16.07.2019 is to be set aside. It is also submitted that on the same analogy, the Notification dated 03.12.2020 is also liable to be set aside.

15. While the learned counsel appearing for the petitioners in the other cases have adopted the submissions advanced by Mr. Y. Balaji, Mr. Surepalli Prashanth, learned counsel, in addition, has relied on the judgment of the Punjab & Haryana High Court in the case of ***Kanwaljit Singh Bajwa and others v. State of Punjab*** in ***W.P.(C).No.1056 of 2016 decided on 03.03.2017***.

16. Mr. Thandava Yogesh, learned counsel, however, has submitted that another Screening Test may be directed to be conducted for the petitioners who have assailed the Notification dated 03.12.2020, in the event of striking down Rule 5 (2)(a)(i) and setting aside the said Notification.

17. Ms. K. Sesharajyam, learned senior standing counsel appearing for the High Court, submits that the first batch of writ petitions had been rendered infructuous. She further submits that the judgment of ***All India Judges' Association*** (supra) has to be understood in the context of Articles 234 and 235 of the Constitution as the High Court has control over the District Courts and the Courts subordinate thereto.

18. Mr. N. Ashwani Kumar, who also appeared as a standing counsel for High Court in some of the cases, refers to the judgment of the High Court



of Jharkhand in the case of ***Ravi Shankar v. The State of Jharkhand***, reported in ***2014 (4) AJR 200***.

19. We have considered the submissions of the learned counsel for the parties.

20. At the outset, we must record that we are unable to accept the submission of Ms. K. Sesharajyam, learned senior standing counsel, that the first batch of writ petitions has been rendered infructuous, as the interim order passed in the said batch of writ petitions itself indicates that the result of the writ petitioners therein will abide the final outcome of the writ petitions.

21. Since the sheet anchor of the arguments advanced by the learned counsel for the petitioners is the judgment of the Hon'ble Supreme Court in ***All India Judges' Association***(supra), it is only appropriate to extract the relevant paragraphs in the said judgment, which are paragraphs 32 and 40:

"32. In All India Judges' Assn. case (SCC at p. 314), this Court has observed that in order to enter the judicial service, an applicant must be an advocate of at least three years' standing. Rules were amended accordingly. With the passage of time, experience has shown that the best talent which is available is not attracted to the judicial service. A bright young law graduate after 3 years of practice finds the judicial service not attractive enough. It has been recommended by the Shetty Commission after taking into consideration the views expressed before it by various authorities, that the need for an applicant to have been an advocate for at least 3 years should be done away with. After



taking all the circumstances into consideration, we accept this recommendation of the Shetty Commission and the argument of the learned amicus curiae that it should be no longer mandatory for an applicant desirous of entering the judicial service to be an advocate of at least three years' standing. We, accordingly, in the light of experience gained after the judgment in All India Judges' case direct to the High Courts and to the State Governments to amend their rules so as to enable a fresh law graduate who may not even have put in three years of practice, to be eligible to compete and enter the judicial service. We, however, recommend that a fresh recruit into the judicial service should be imparted training of not less than one year, preferably two years.

XXXXX

XXXXX

40. Any clarification that may be required in respect of any matter arising out of this decision will be sought only from this Court. The proceedings, if any, for implementation of the directions given in this judgment shall be filed only in this Court and no other court shall entertain them."

22. A reading of paragraph 32 would go to show that recommendation of Shetty Commission was accepted and in the light of the experience gained over the years after the decision in the case of **All India Judges' Association v. Union of India**, reported in **(1993) 4 SCC 288**, wherein it had observed that in order to enter the judicial service, an applicant must be an advocate of at least three years' standing, the



Hon'ble Supreme Court had directed the High Courts and the State Governments to amend their rules so as to enable a fresh law graduate who may not have three years of practice, to be eligible to compete and enter judicial service. While making such positive direction, the Hon'ble Supreme Court recommended that a fresh recruit into the judicial service should be imparted training of not less than one year, preferably two years. Thus, so far as the training period is concerned, the same is left to the discretion of the High Courts.

23. Further, as per the observation made in paragraph 40 of the judgment in **All India Judges' Association**(supra), if at all any clarification is required in respect of any matter arising out of the said decision, the same can be sought only from the Hon'ble Supreme Court.

24. In the case of **Ravi Shankar** (supra), the issue that had arisen for consideration of the High Court of Jharkhand was as to whether even though in the Rules there is no provision of three years practice as an advocate as a requirement for being eligible to be appointed as a Civil Judge (Junior Division), prescription of a clause in the advertisement that the candidate must have enrolled as advocate under the Advocates Act is illegal and arbitrary, being not in accordance with the direction of the Hon'ble Supreme Court in **All India Judges' Association**(supra).The challenge mounted was negated by the Jharkhand High Court and even otherwise, such a question has not fallen for consideration in this batch of writ petitions.

25. In **R. Anitha**(supra), the High Court for the State of Telangana has laid down as follows:



"A bare perusal of the said provision clearly reveals that the Article uses the word "shall", which obviously gives a mandatory colour to the said Article. Therefore, once the law has been declared by the Apex Court, it becomes the law of the land. The said law is binding on all the Courts within the territory of India."

It is further observed as follows:

"However, as far as the imposition of the pre-requisite of experience of three years at the Bar is concerned, obviously the imposition of such a condition would be contrary to "the direction" issued by the Apex Court in paragraph 32 mentioned hereinabove. Therefore, the imposition of such a condition would also be in violation of Article 141 of the Constitution of India."

26. We are in respectful agreement with the view taken by the High Court of Telangana. Though, under Article 235 of the Constitution, the High Court has power of control and supervision over the District Courts and the Courts subordinate thereto, it cannot be countenanced that the High Court can simply wish away the direction of the Hon'ble Supreme Court inasmuch as under Article 141 of the Constitution of India, the law declared by the Hon'ble Supreme Court shall be binding on all Courts within the territory of India.

27. In view of the discussion above, Rule 5(2)(a)(i) of the Rules is held to be unconstitutional.



28. Having held so, it will be necessary to mould the relief available to the petitioners in the facts and circumstances of the case.

29. So far as the first batch of writ petitions is concerned, as is already noticed, those who had approached this Court were permitted by way of interim order to take part in the recruitment process. As such, there is no necessity to set aside the Notification dated 17.06.2019. As the challenge regarding unconstitutionality of the Rule has been upheld, the Registry will take steps in respect of the three writ petitioners whose results were not declared. Depending on the result, further steps, as may be called for, shall be taken by the Registry. Following the interim order dated 12.07.2019, we also make it clear that the three candidates cannot claim any equities, such as, seniority, etc.

30. So far as the second batch of writ petitions is concerned, they stand on a different footing. The petitioners in the second batch could not take part in the recruitment process in terms of the Notification dated 03.12.2020. The Screening Test had in the meantime been conducted. However, result of the said Screening Test is yet to be declared.

31. Having regard to the above discussion, Notification dated 03.12.2020 is set aside. Consequently, the Screening Test held on the basis of the said Notification cannot be sustained in law and, therefore, there will be no necessity to declare the result of the Screening Test held on 21.02.2021.

32. Registry is directed to issue a fresh Notification inviting applications for General Recruitment to 68 posts of Civil Judge (Junior Division) in Andhra Pradesh State Judicial Service comprising of 55 vacancies to be



filled under Direct Recruitment and 13 vacancies to be filled under Recruitment by Transfer.

33. All the candidates who have appeared for the Screening Test held on 21.02.2021 in pursuance of the Notification dated 03.12.2020 would be entitled to appear in the fresh recruitment process on the basis of their application submitted earlier.

34. We also make it clear that if any of the candidates who had appeared in the Screening Test held on 21.02.2021 and the writ petitioners become overaged in the meantime, their age shall be deemed to have been relaxed to enable them to take part in the fresh recruitment process that would be initiated through Notification to be issued on the basis of this order.

35. Needless to say, any eligible person who have not responded to the earlier Notification dated 03.12.2020 shall also be entitled to participate in the fresh recruitment process.

36. Accordingly, the writ petitions stand disposed of. No costs. Pending miscellaneous applications, if any, shall stand closed.

ARUP KUMAR GOSWAMI, CJ C. PRAVEEN KUMAR, J

IBL/Nn



2021:APHC:4603

33HCJ & CPK,J

W.P.No.7934 of 2019 & batch

IN THE HIGH COURT OF ANDHRA PRADESH : AMARAVATI

HON'BLE MR. JUSTICE ARUP KUMAR GOSWAMI, CHIEF JUSTICE

&

HON'BLE MR. JUSTICE C. PRAVEEN KUMAR

WRIT PETITION Nos.7934, 8763, 8692, 9132, 9139, 9140, 9148, 9152, 9158, 9164, 9166, 9168, 9169, 9170, 9184, 9192, 9266 and 9269 of 2019; 23455, 24229, 24307, 24333, 24427, 24519, 24520, 24676, 24812, 24850, 25172, 25345, 25486, 25512, 25597, 25599, 25600, 25605, 25718, 25760 and 25789 of 2020; 83, 475, 479, 497, 610, 1023, 1213, 1252 and 1795 of 2021

Dt: 04.03.2021

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