

# HIGH COURT OF ANDHRA PRADESH

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**W.P.Nos.22056, 19058, 21706, 22854, 22877, 28871, 29604,  
29624 and 29811 of 2025 and 7752 of 2024**

DATE OF JUDGMENT PRONOUNCED: 18.11.2025

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY,J

- |   |        |
|---|--------|
| 1. Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be marked to Law Reporters/Journals     | Yes/No |
| 3. Whether Your Lordships wish to see the fair copy of the Judgment?          | Yes/No |

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NYAPATHY VIJAY,J

**\*THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY**

**+ W.P.Nos.22056, 19058, 21706, 22854, 22877, 28871, 29604,  
29624 and 29811 of 2025 and 7752 of 2024**

% 18.11.2025

**Between:**

Yelduti Srinivas, s/o Krishna Murthy,  
aged about 60 years, occ Executive Engineer,  
A.P.State Housing Corporation Ltd,  
Kakinada Division, Kakinada District and 2 others.

**...Petitioner**

**And**

The State of Andhra Pradesh,  
rept. By Principal Secretary, Finance Department ,  
Secretariat, Amaravathi, Guntur District and 3 others

**...RESPONDENT(S)**

**Counsel for the Petitioner:** Sri. Veladi Sai Sri Harsha

**Counsel for the Respondent(S):** Sri K.Mallikarja Moorthy and  
G.P. for Services I

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> Head Note:

? Cases Referred:

<sup>1</sup> (1996) 3 SCC 454

<sup>2</sup> 2023 Supreme (SC) 801

<sup>3</sup> 2021 SCC OnLine SC 466

<sup>4</sup> (2023) 16 SCC 462

APHC010435152025



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

[3460]

TUESDAY, THE EIGHTEENTH DAY OF NOVEMBER  
TWO THOUSAND AND TWENTY FIVE

**PRESENT**

**THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY**

**WRIT PETITION NO: 22056/2025**

**Between:**

1. YELDUTI SRINIVAS, S/O KRISHNA MURTHY, AGED ABOUT 60 YEARS, OCC EXECUTIVE ENGINEER, A.P. STATE HOUSING CORPORATION LTD, KAKINADA DIVISION, KAKINADA DISTRICT.
2. PENTAPATI SRINIVAS RAO,, S/O. RAMAMURTHY, AGED ABOUT 60 YEARS, OCC ASSISTANT ENGINEER, A.P. STATE HOUSING CORPORATION LTD, KAJULURU MANDAL, SIDDHARTH NAGAR, KAKINADA RURAL SUB-DIVISION KAKINADA DIVISION, KAKINADA DISTRICT
3. MALLIDI SOMIREDDY, S/O. SATYANARAYANA REDDY, AGED ABOUT 60 YEARS, OCC ASSISTANT ENGINEER A.P. STATE HOUSING CORPORATION LTD, NFCL ROAD, SIDDHARTHA NAGAR, KAKINADA DIVISION, KAKINADA DISTRICT.

**...PETITIONER(S)**

**AND**

1. THE STATE OF ANDHRA PRADESH, REPT. BY PRINCIPAL SECRETARY, FINANCE DEPARTMENT SECRETARIAT, AMARAVATHI, GUNTUR DISTRICT.

2. THE STATE OF ANDHRA PRADESH, REPT. BY PRINCIPAL SECRETARY, HOUSING DEPARTMENT, SECRETARIAT, AMARAVATHI, GUNTUR DISTRICT.
3. THE ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED, VIJAYAWADA, NTR DISTRICT REPT. BY ITS MANAGING DIRECTOR.
4. THE STATE OF ANDHRA PRADESH, REP. BY ITS SPECIAL CHIEF SECRETARY, HOUSING DEPARTMENT, 5TH BLOCK, SECRETARIAT AMARAVATHI, GUNTUR 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 particularly one in the nature of writ of Mandamus to declare the action of the Respondent in issuing the proceedings vide Letter No. 1699176A/C.A2/2022-2, Dated 18.07.2024 by rejecting the proposal made by the Managing Director, APSHCL for extension of the enhancement of the age of superannuation from 60 years to 62 years to the employees of the APSHCL based on the resolution passed by the Board of APSHCL during the 27th Board of Directors meeting held on 22.03.2022 in terms of the G.O.Ms.No.15, dated 31-01-2022 issued by the 1st Respondent as arbitrary, illegal and violation of Article 14 and 16 of the Constitution of India and set aside the same and consequently direct the 3rd Respondent to continue the Petitioners in service till he attains the age of 62 years with all consequential benefits and pass

**IA NO: 1 OF 2025**

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

**IA NO: 2 OF 2025**

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 vacate the Interim Order dated 20.08.2025 passed in I.A.N0.1 OF 2025 in W.P.No.22056 OF 2025 and dismiss the writ petition and pass

**Counsel for the Petitioner(S):**

1.VELADI SAI SRI HARSHA

**Counsel for the Respondent(S):**

1.K MALLIKHARJUNA MOORTHY

2.GP FOR SERVICES I

**WRIT PETITION NO: 19058/2025****Between:**

1.YALLA RAJASREE, W/O LATE SATYA PRASAD,  
OCCUPATION REGIONAL MANAGER, A.P.STATE  
WAREHOUSING CORPORATION, R/O. FLAT NO. 101,  
VIGHNESWARA TOWERS KANAPAKA, VIZIANAGARAM.

**...PETITIONER**

**AND**

1.THE STATE OF AP, REP. BY ITS PRINCIPAL  
SECRETARY, FINANCE(HR.IV-FR LR) DEPARTMENT,  
2ND BLOCK, SECRETARIAT, VELAGAPUDI,  
AMARAVATI, GUNTUR DISTRICT.

2.THE STATE OF ANDHRA PRADESH, REP. BY ITS E.O  
SPL. CHIEF SECRETARY, AGRICULTURE  
COOPERATION(MKTG. I) DEPARTMENT, 4TH BLOCK  
SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR  
DISTRICT.

3.V C MANAGING DIRECTOR, ANDHRA PRADESH STATE WAREHOUSING CORPORATION HEAD OFFICE, B BLOCK, II FLOOR, STALIN CORPORATE, AUTO NAGAR, VIJAYAWADA-7.

**...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 particularly one in the nature of Writ of Mandamus declaring the resolution of the 216TH meeting of the Board held on 29-12-2023 of the 3RD respondent corporation withdrawing the decision of the Board in its 206TH meeting held on 14-03-2022 adoption and implementation of G.O.Ms.No.15, dated.31-01-2022 is arbitrary, illegal, colourable exercise of power in violation of Article 14 and 16 of the Constitution of India and also the judgment of the division bench in G. Rama Mohan Raos case and set aside the same and also set aside the notice issued vide memo and to issue a consequential direction to the 2ND and 3RD respondent to continue the petitioner in service till she attains the age of 62 years with all consequential benefits and to pass

**IA NO: 1 OF 2025**

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 continue the services of the petitioner till she attains the age of 62 years by suspending the decision of the resolution of the Board in its 216Th meeting held on 29-12-2023 of the 3RD respondent corporation withdrawing the decision of the Board in its 206TH meeting held on 14-03-2022 adoption and implementation of G.O.Ms.No.15, dated.31-01-2022 is arbitrary, illegal, colourable exercise of power in violation of Article 14 and 16 of the Constitution of India and also the judgment of the division bench in G. Rama Mohan Rao's case and also set aside the notice

issued vide memo no.SWC/E2/6043/2024-06, dated. 17-12-2024 by the 3RD respondent, pending disposal of the Writ Petition and pass

**Counsel for the Petitioner:**

1.HANUMANTHA RAO BACHINA

**Counsel for the Respondent(S):**

**WRIT PETITION NO: 21706/2025**

**Between:**

1.D. MADHAVA RAO,, S/O SUBRAHMANYAM, AGED ABOUT 60 YEARS, SECRETARY (L/C/RM),(RETD) HEAD OFFICE, A.P. STATE WHERE HOUSING CORPORATION, VIJAYAWADA. R/O FLAT NO.552, AYYAPPA NAGAR, AUTO NAGAR, VIJAYAWADA, KRISHNA DISTRICT.

**...PETITIONER**

**AND**

1.STATE OF ANDHRA PRADESH, REPRESENTED BY ITS SPL. CHIEF SECRETARY, GOVERNMENT AGRICULTURE AND CORPORATION DEPARTMENT, SECRETARIAT. VELAGAPUDI, AMARAVATI

2.STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRI. SECRETARY, FINANCE DEPARTMENT,(H AND R IV FRLR ) SECRETARIAT, VELAGAPUDI AMARAVATI.

3.THE A P STATE WHERE HOUSING CORPORATION, REP. BY ITS VICE CHAIRMAN AND MANAGING DIRECTOR, P-BLOCK, 2ND FLOOR, STALIN CORPORATION, AUTO NAGAR, VIJAYAWADA.

**...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 topleased to issue writ, order or direction more particularly the nature of Writ of Mandamus declaring in the circular board meeting resolution No.216th is meeting held on 29-12-2023 withdrawing the adoption of age of superannuation raising the age from 60 to 62 years, in the earlier meeting dt. 14-03-2022 and the Memo NO.SWC/E2/6043/2024-05 dt. 17-12-2024 by the 3rd respondent informing the petitioner will retire from service on 30-06- 2025 by attaining the age of superannuation of 60 years is arbitrary, illegal, colourable exercise of power, and in violation of article 14, 16 of the constitution of the India, and contrary to the direction of division bench in case of G. Rammohanrao Vs State of A.P., and to set aside the same, and to issue a consequential direction to the 3rd respondent to continue the petitioner upto age of 62 years in terms of the resolution of the board in its 206th meeting held on 14-12-2022

**IA NO: 1 OF 2025**

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 continue the services of the petitioner up to 62 years by suspending the resolution No.216th dt.29-12-2023 and also the Memo SWC/E2/6043/2024-05 dt. 17-12-2024 of the 3rd respondent

**Counsel for the Petitioner:**

1.NICHENAMETLA NAGARAJU

**Counsel for the Respondent(S):**

1.GP FOR SERVICES I

2.GP FOR SERVICES II

3.A V G MADHAVA RAO

**WRIT PETITION NO: 22854/2025****Between:**

- 1.SATYAM VENUGOPALA RAO, S/O.S. SAMBASIVA RAO, AGED ABOUT 60 YEARS,OCC CHIEF ENGINEER, A.P.STATE HOUSING CORPORATION LTD, AUTO NAGAR,VIJAYAWADA N.T.R. DISTRICT.

**...PETITIONER****AND**

- 1.THE STATE OF AP, REPT. BY PRINCIPAL SECRETARY, FINANCE DEPARTMENT SECRETARIAT, AMARAVATHI, GUNTUR DISTRICT.
- 2.THE STATE OF ANDHRA PRADESH, REPT. BY PRINCIPAL SECRETARY, HOUSING DEPARTMENT, SECRETARIAT, AMARAVATHI, GUNTUR DISTRICT.
- 3.THE ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED VIJAYAWADA, NTR DISTRICT REPT. BY ITS MANAGING DIRECTOR.
- 4.THE STATE OF ANDHRA PRADESH, REP. BY ITS SPECIAL CHIEF SECRETARY, HOUSING DEPARTMENT, 5TH BLOCK, SECRETARIAT AMARAVATHI, GUNTUR 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 topleased to issue a writ order or direction more particularly one in the nature of writ of Mandamus to declare the action of the 4th Respondent in issuing the proceedings vide Letter No. 1699176/VC.A2/2022-2, Dated 18.07.2024 by rejecting the proposal made by the Managing Director, APSHCL for extention of the enhancement of the age of

superannuation from 60 years to 62 years to the employees of the APSHCL based on the resolution passed by the Board of APSHCL during the 27th Board of Directors meeting held on 22.03.2022 in terms of the G.O.Ms.No. 15, dated 31-01-2022 issued by the 1 Respondent as arbitrary, illegal and violation of Article 14 and 16 of the Constitution of India and set aside the same and consequently direct the 3rd Respondent to continue the Petitioners in service till he attains the age of 62 years with all consequential benefits and pass

**IA NO: 1 OF 2025**

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 3rd Respondent to continue the Petitioners in service till the Petitioner attains the age of 62 years by suspending the proceedings issued by the 4th Respondent vide Letter No.1699176/VC.A2/2022-2, Dated 18.07.2024 pending disposal of the writ petition in the interest of justice.

**Counsel for the Petitioner:**

1.VELADI SAI SRI HARSHA

**Counsel for the Respondent(S):**

1.K MALLIKHARJUNA MOORTHY

2.GP FOR SERVICES I

**WRIT PETITION NO: 22877/2025**

**Between:**

1.D CHIDAMBARESWARA RAO, S/O.D.RAGHUNANDA SWAMY, AGED ABOUT 60 YEARS,OCC ASSISTANT ENGINEER, A.P.STATE HOUSING CORPORATION LTD, VATSAVAI MANDAL, N.T.R. DISTRICT.

- 2.P.V. SUBBARAJU,, S/O. SRI RAMARAJU, AGED ABOUT 60 YEARS, OCC ASSISTANT ENGINEER, A.P.STATE HOUSING CORPORATION LTD, CHAGALLU MANDAL, EAST GODAVARI DISTRICT
- 3.MOHAMMED AKRAM,, S/O.MOHAMMED IBRAHIM, AGED ABOUT 60 YEARS, OCC ASSISTANT ENGINEER A.P.STATE HOUSING CORPORATION LTD, NAGALAPURAM MANDAL, THIRUPATHI DISTRICT
- 4.N. RAVI KUMAR,, S/O. VENKATA SATYANARAYANA, AGED ABOUT 60 YEARS, OCC ASSISTANT ENGINEER A.P.STATE HOUSING CORPORATION LTD, MARRIPADU MANDAL, SPSR NELLORE DISTRICT
- 5.JALLA NARAYANA,, S/O. JALLAVENKATAYAPPA, AGED ABOUT 60 YEARS, OCC NON-TECHNICAL WORK INSPECTOR A.P.STATE HOUSING CORPORATION LTD, MULAKACHERUVU MANDAL, ANNAMAYYA DISTRICT.
- 6.K. MALLIKARJUN,, S/O.K HARI DAS (LATE), AGED ABOUT 60 YEARS,OCC DY. EXECUTIVE ENGINEER, A.P.STATE HOUSING CORPORATION LTD,MUMMIDIVARAM DR. B.R. AMBEDKAR KONASEEMA DISTRICT.

**...PETITIONER(S)**

**AND**

- 1.THE STATE OF AP, REPT. BY PRINCIPAL SECRETARY, FINANCE DEPARTMENT SECRETARIAT, AMARAVATHI, GUNTUR DISTRICT.
- 2.THE STATE OF ANDHRA PRADESH, REPT. BY PRINCIPAL SECRETARY, HOUSING DEPARTMENT, SECRETARIAT, AMARAVATHI, GUNTUR 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 particularly one in the nature of writ of Mandamus to declare the action of the 4th Respondent in issuing the proceedings vide Letter No. 1699176A/C.A2/2022-2, Dated 18.07.2024 by rejecting the proposal made by the Managing Director, APSHCL for extension of the enhancement of the age of superannuation from 60 years to 62 years to the employees of the APSHCL based on the resolution passed by the Board of APSHCL during the 27th Board of Directors meeting held on 22.03.2022 in terms of the G.O.Ms.No.15, dated 31-01-2022 issued by the 1st Respondent as arbitrary, illegal and violation of Article 14 and 16 of the Constitution of India and set aside the same and consequently direct the 3rd Respondent to continue the Petitioners in service till he attains the age of 62 years with all consequential benefits and pass

**IA NO: 1 OF 2025**

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 3rd Respondent to continue the Petitioners in service till the Petitioner attains the age of 62 years by suspending the proceedings issued by the 4th Respondent vide Letter No. 1699176/VC.A2/2022-2, Dated 18.07.2024 pending disposal of the writ petition in the interest of justice.

**Counsel for the Petitioner(S):**

1.VELADI SAI SRI HARSHA

**Counsel for the Respondent(S):**

1.GP FOR SERVICES I

**WRIT PETITION NO: 28871/2025**

**Between:**

1. MOHAMMED SIRAJUDDIN SHAREEF, S/O. MOHAMMED SHAREEF, AGED ABOUT 60 YEARS, OCC- MANAGER, R/O. B-20, CHANDRAGUPTA COLONY, KHANDRIKAGUDEM, TANGELLAMUDI MANDAL, ELURU DISTRICT

**...PETITIONER****AND**

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT, SECRETARIAT, AMARAVATI, VELAGAPUDI, GUNTUR DISTRICT.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, HOUSING DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
3. THE ANDHRA PRADESH STATE, HOUSING CORPORATION LIMITED, VIJAYAWADA, NTR DISTRICT, REP. BY ITS MANAGING DIRECTOR.
4. THE STATE OF ANDHRA PRADESH, REP. BY ITS SPECIAL CHIEF SECRETARY, HOUSING DEPARTMENT, 5TH BLOCK, SECRETARIAT VELAGAPUDI, AMARAVATI, GUNTUR 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 particularly one in the nature of WRIT OF MANDAMUS declaring the action of the 4th Respondent in issuing the proceedings vide Letter N0.1699176A/C.A2/2C22-2, dated 18.07.2024, thereby rejecting the proposal made by the

Managing Director, Andhra Pradesh State Housing Corporation Limited, for extension of the age of superannuation from 60 years to 62 years, based on the resolution passed by the Board of Directors in its 27th meeting held on 22.03.2022 in terms of G.O.Ms.No.15, dated 31.01.2022, issued by the 1st Respondent, as illegal, arbitrary, unjust, discriminatory, erroneous, mala fide, and in violation of Articles 14, 16, and 21 of the Constitution of India and consequently direct the Respondents to extend the benefit of enhancement of the age of superannuation from 60 years to 62 years to the Petitioner with all consequential benefits and pass

**IA NO: 1 OF 2025**

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 suspend the operation and effect of the impugned proceedings issued by the 4th Respondent vide Letter NO.1699176A/C.A2/2C22-2, dated 18.07.2024, and consequently direct the Respondents to continue the Petitioner in service till he attains the age of 62 years by extending the benefit of enhancement of superannuation in accordance with G.O.Ms.No.15, dated 31.01.2022, as has been granted in similar cases, including Writ Petition No.7752 of 2024 and in recent Writ Petition No.22056 of 2025 , pending disposal of the main Writ Petition and pass

**IA NO: 2 OF 2025**

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 may be pleased to vacate the interim order dated 27.10.2025 passed in IA. No. 1 OF 2025 in W.P. No.28871 of 2025 and dismiss the writ petition and pass

**Counsel for the Petitioner:**

1.NIMMAGADDA REVATHI

**Counsel for the Respondent(S):**

- 1.K MALLIKHARJUNA MOORTHY
- 2.GP FOR SERVICES I

**WRIT PETITION NO: 29604/2025**

**Between:**

- 1.DEVARAPATI VENKATESWARALU,,  
S/O.VENKATASUBBAIAH, AGED ABOUT 59 YEARS,  
OCC ASSISTANT ENGINEER, NELLORE SECTION  
ANDHRA PRADESH STATE HOUSING CORPORATION  
LIMITED, R/O.2-10-202, SANTHI NAGAR, 4TH LANE  
KOVVUR, SPSR NELLORE DISTRICT.
- 2.DESABHATIA SREEDHAR,, S/O.D.RAJAGOPAL RAO,  
AGED ABOUT 59 YEARS, OCC ASSISTANT ENGINEER,  
G.D.NELLORE SECTION, ANDHRA PRADESH STATE  
HOUSING CORPORATION LIMITED, R/O.D.NO.26-1382,  
NEW BALAJI COLONY, CHITTOOR.

**...PETITIONER(S)**

**AND**

- 1.THE STATE OF ANDHRA PRADESH, REP., BY ITS  
SPECIAL CHIEF SECRETARY, HOUSING DEPARTMENT  
SECRETARIAT BUILDINGS, VELAGAPUDI AMARAVATI,  
GUNTUR DISTRICT.
- 2.THE STATE OF ANDHRA PRADESH, REP. BY ITS  
PRINCIPAL SECRETARY, FINANCE DEPARTMENT,  
SECRETARIAT BUILDINGS, VELAGAPUDI AMARAVATI,  
GUNTUR DISTRICT..
- 3.THE ANDHRA PRADESH STATE HOUSING  
CORPORATION LIMITED, VIJAYAWADA, NTR DISTRICT

REPT. BY ITS MANAGING DIRECTOR.

4. THE EXECUTIVE DIRECTOR CUM DISTRICT COLLECTOR, CHITTOOR DISTRICT, CHITTOOR.
5. THE EXECUTIVE DIRECTOR CUM DISTRICT COLLECTOR, SPSR NELLORE DISTRICT, NELLORE.
6. THE GENERAL MANAGER ADMINISTRATION AND VIGILANCE, THE ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED VIJAYAWADA, NTR DISTRICT.
7. THE DISTRICT HEADS HOUSING, CHITTOOR DISTRICT THE ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED CHITTOOR.
8. THE DISTRICT HEADS HOUSING, SPSR NELLORE DISTRICT THE ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED SPSR NELLORE.

**...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 an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings in Rc.No.A2/261/2018, dated 13.10.2025 issued by the respondent No.6 directing the respondents No.7 and 8 to retire and relieve us from the service on attaining superannuation at the age of Sixty (60) years instead of Sixty (62) years on 31.10.2025, even though a resolution has been passed by the Board of the respondent No.3 on 22.03.2022 in terms with G.O.Ms.No.15. Finance Department, 31.01.2022 in its 27th Board of Directors meeting as illegal, arbitrary, one without jurisdiction, colourable exercise of power, contrary to the Andhra Pradesh State Housing Corporation Limited General Service Rules, 1998 apart from being violative of the Fundamental Rights guaranteed to us under Articles 14, 16, 19 and 21 of the Constitution of India and consequently set aside

the proceedings in Rc.No.A2/261/2018, dated 13.10.2025 issued by the respondent No.6 and further direct the 3rd Respondent to continue the Petitioners in service till he attains the age of 62 years with all consequential benefits

**IA NO: 1 OF 2025**

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 Pleased to direct the Respondent No.3 to continue the Petitioners in service till the Petitioner attains the age of 62 years by suspending the proceedings issued by the Respondent vide Rc.No.A2/261/2018, dated 13.10.2025 issued by the respondent No.6 pending disposal of the writ petition in the interest of justice.

**IA NO: 2 OF 2025**

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 may be pleased to vacate the interim order dated 28.10.2025 passed in IA. No. 1 OF 2025 in W.P. No.29604 of 2025 and dismiss the writ petition and pass

**Counsel for the Petitioner(S):**

1.B.ABHAY SIDDHANTH MOOTHA

**Counsel for the Respondent(S):**

1.K MALLIKHARJUNA MOORTHY

2.GP FOR SERVICES I

**WRIT PETITION NO: 29624/2025**

**Between:**

1.THADIPATRI SEKHAR BABU, , S/O. GANGARAJU, AGED ABOUT 60 YEARS, OCC- DEPUTY EXECUTIVE

ENGINEER, EAST GODAVARI SUB-SECTION, ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED, RYO.D.NO.5-182/1, PYDIPARRU, TANUKU, WEST GODAVARI.

**...PETITIONER**

**AND**

- 1.THE STATE OF ANDHRA PRADESH, REP., BY ITS SPECIAL CHIEF SECRETARY, HOUSING DEPARTMENT SECRETARIAT BUILDINGS, VELAGAPUDI AMARAVATI, GUNTUR DISTRICT.
- 2.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, FINANCE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI AMARAVATI, GUNTUR DISTRICT..
- 3.THE ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED, VIJAYAWADA, NTR DISTRICT REPT. BY ITS MANAGING DIRECTOR.
- 4.THE EXECUTIVE DIRECTOR CUM DISTRICT COLLECTOR, EAST GODAVARI DISTRICT, CHITTOOR.
- 5.THE GENERAL MANAGER ADMINISTRATION AND VIGILANCE, THE ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED VIJAYAWADA, NTR DISTRICT.
- 6.THE DISTRICT HEADS HOUSING, EAST GODAVARI DISTRICT THE ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED RAJ AMAHENDRAVARAM.

**...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 an appropriate Writ, Order or direction more particularly one in the nature of Writ

of Mandamus declaring the proceedings in Rc.No.A1/261/2018, dated 09.10.2025 issued by the respondent No.5 directing the respondent No.6 to retire and relieve me from the service on attaining superannuation at the age of Sixty (60) years instead of Sixty (62) years on 31.10.2025, eventhough a resolution has been passed by the Board of the respondent No.3 on 22.03.2022 in terms with G.O.Ms.No.15, Finance Department, 31.01.2022 in its 27th Board of Directors meeting as illegal, arbitrary, one without jurisdiction colourbale exercise of power, contrary to the Andhra Pradesh State Housing Corporation Limited General Service Rules, 1998 apart from being violative of the Fundamental Rights guaranteed to us under Articles 14, 16, 19 and 21 of the Constitution of India and consequently set aside the proceedings in Rc.No.A1/261/2018, dated 09.10.2025 issued by the respondent No.5 and further direct the 3rd Respondent to continue the Petitioners in service till he attains the age of 62 years with all consequential benefits and pass

**IA NO: 1 OF 2025**

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 Respondent No.3 to continue the Petitioners in service till the Petitioner attains the age of 62 years by suspending the proceedings issued by the Respondent vide Rc.No.A1/261/2018, dated 09.10.2025 issued by the respondent No.5 pending disposal of the writ petition in the interest of justice.

**IA NO: 2 OF 2025**

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 may be pleased to vacate the interim order dated 29.10.2025 passed in IA. No. 1 OF 2025 in W.P. No.29624 of 2025 and dismiss the writ petition and pass

**Counsel for the Petitioner:**

1.B.ABHAY SIDDHANTH MOOTHA

**Counsel for the Respondent(S):**

1.K MALLIKHARJUNA MOORTHY

2.GP FOR SERVICES I

**WRIT PETITION NO: 29811/2025**

**Between:**

1.V A VINOD KUMAR, S/O.ASWARTHANARYANA, AGED ABOUT 60 YEARS, OCC ASSISTANT ENGINEER, CHITTOOR SECTION ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED, R/O. FLAT NO. 201, 3RDFLOOR, SYMPHONY HEIGHTS APARTMENTS, SREE NAGAR COLONY, NEAR THOPUDURTHY PRAKASH REDDY HOUSE, SREE NAGAR COLONY, ANANTAPUR, PO GEORGE PET, DISTANANTHAPURAM.

**...PETITIONER**

**AND**

1.THE STATE OF ANDHRA PRADESH, REP., BY ITS SPECIAL CHIEF SECRETARY, HOUSING DEPARTMENT SECRETARIAT BUILDINGS, VELAGAPUDI AMARAVATI, GUNTUR DISTRICT. 2.

2.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, FINANCE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI AMARAVATI, GUNTUR DISTRICT.. 3.

3.THE ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED, VIJAYAWADA, NTR DISTRICT REPT. BY ITS MANAGING DIRECTOR. 4.

4. THE EXECUTIVE DIRECTOR CUM DISTRICT COLLECTOR, CHITTOOR DISTRICT, CHITTOOR. 5.
5. THE GENERAL MANAGER ADMINISTRATION AND VIGILANCE, THE ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED VIJAYAWADA, NTR DISTRICT.
6. THE DISTRICT HEADS HOUSING, CHITTOOR DISTRICT THE ANDHRA PRADESH STATE HOUSING CORPORATION LIMITED CHITTOOR.

**...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 appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings in Rc.No.A2/261/2018, dated 13.10.2025 issued by the respondent No.5 directing the respondents retire and relieve us from the No.6 to service on attaining superannuation at the age of Sixty (60) years instead of Sixty (62) years on 31.10.2025, even though a resolution on 22.03.2022 has been passed by the Board of the respondent No.3 in terms with G.O.Ms.No.15, Finance Department, 31.01.2022 in its 27th Board of Directors meeting as illegal, arbitrary, one without jurisdiction, colourable exercise of power, contrary to the Andhra Pradesh State Housing Corporation Limited General Service Rules, 1998 apart from being violative of the Fundamental Rights guaranteed to us under Articles 14, 16, 19 and 21 of the Constitution of India and consequently set aside the proceedings respondent No.6 and in service till he attains the age of 62 years with all consequential benefits and pass such order or orders as such this Honble Court may deem fit and proper in the circumstances of the case. Rc.No.A2/261/2018, dated 13.10.2025 issued by the further direct the 3rd Respondent to continue the Petitioners

**IA NO: 1 OF 2025**

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 Respondent No.3 to continue the Petitioners in service till the Petitioner attains the age of 62 years by suspending the proceedings issued by the Respondent vide Rc.No.A2/261/2018, dated 13.10.2025 issued by the respondent No.6 pending disposal of the writ petition in the interest of justice.

**IA NO: 2 OF 2025**

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 vacate the interim order dated 30.10.2025 passed in IA. No. 1 OF 2025 in W.P. No.29811 of 2025 and dismiss the writ petition and pass

**Counsel for the Petitioner:**

1.B.ABHAY SIDDHANTH MOOTHA

**Counsel for the Respondent(S):**

1.K MALLIKHARJUNA MOORTHY

2.GP FOR SERVICES I

**WRIT PETITION NO: 7752/2024**

**Between:**

1.VEDALA WILSON RAJU, S/O PRABHUDAS, AGED ABOUT 60 YEARS, OCC FOREMAN, AP COOPERATION OIL GROWERS FEDERATION OIL PROCESSING PLANT, PEDAVEGAI, R/O.D.NO.5-147/12/5, NETAJI NAGAR, TANGELLAMEDI PANCHAYAT, ELURU, AP.

**...PETITIONER**

**AND**

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRL. SECRETARY, AGRICULTURE AND COOPERATION DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI.
2. THE COMMISSIONER FOR COOPERATION AND REGISTRAR OF COOPERATIVE SOCIETIES, GOVERNMENT OF ANDHRA PRADESH, SHYAMALA NAGAR, KRISHNA DISTRICT AT MACHILIPATNAM.
3. THE AP COOPERATIVE OIL SEEDS GROWERS FEDERATION LTD, REP. BY ITS VC AND MANAGING DIRECTOR, D.NO.55-17, 2 TO 4,4TH FLOOR, C BLOCK. ROAD NO.2, INDUSTRIAL ESTATE, JAWAHAR, AUTO NAGAR, VIJAYAWADA- 520007.
4. THE GENERAL MANAGER, PEDAVEGI, ELURU DISTRICT, AP. OIL PALM PROCESSING PLANT, AP COOPERATIVES OIL SEED GROWERS FEDERATIONS.

**...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 particularly in the nature of writ of Mandamus declaring the circulation board meeting resolution, dt.25-01-2024 of the 3rd Respondent federation is arbitrary, illegal, colourable exercise of power and in violation of Article 14 and 16 of the Constitution of India, and contrary to the provisions of AP Cooperative Societies Act and the rules framed thereunder and to quash or set aside the same, and to issue a consequential direction to the Respondents No.3 and 4 to continue the petitioner in service till he attains the age of 62 years and to pas

**IA NO: 1 OF 2024**

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 continue the services of the age of petitioner till he attains the age of 62 years by suspending the circular board meeting resolution, dt.25-01-2024 of the 3rd Respondent federation and to pass

**Counsel for the Petitioner:**

1.NAGA CHANDRIKA.D

**Counsel for the Respondent(S):**

1.GP FOR SERVICES II

2.GP FOR COOPERATION

3.P NAGENDRA REDDY

**The Court made the following:**

**HON'BLE SRI JUSTICE NYAPATHY VIJAY**

**W.P.Nos.22056, 19058, 21706, 22854, 22877, 28871, 29604,  
29624 and 29811 of 2025 and 7752 of 2024**

**COMMON ORDER:**

These writ petitions are filed by employees working in various designations of the A.P.State Housing Corporation seeking for enhancement of age of superannuation of 62 years in terms of G.O.Ms. No.15, Finance Department, dated 31.01.2022.

2. Pursuant to the amendment of the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984 vide G.O.Ms.No.15, dated 31.01.2022 issued by the State Government enhancing the age of superannuation from 60 to 62 years, a Board Resolution was passed on 22.03.2022 by the Respondent-Corporation, whereunder it was resolved to enhance the age of employees of the Corporation from 60 to 62 years on par with Government employees. In spite of the Resolution, concurrence of the State Government was sought. As some of the employees were retired, writ petitions were filed before this Court seeking for continuation of their services till the age of 62 years. While the writ petitions were pending, the State Government issued a letter Lr.No.1699176/VC.A2/2022-2,

dated 18.07.2024 rejecting the proposal for enhancement of age of superannuation of employees of Respondent-Corporation. In that view, writ petitions were dismissed leaving it open to challenge the rejection proceedings.

3. In some of the writ petitions, the rejection of the Government's decision referred above was challenged apart from continuation of services on the ground that a committee was constituted under G.O.Rt.No.1545, GAD (Cabinet.I) Department dated 22.08.2025 for examining the feasibility of enhancement of age of superannuation from 60 to 62 years to the employees working in Government Institutions/Societies/Corporations included in Schedules IX and X of the A.P Reorganization Act, 2014. It is contended that the impugned order of rejection by the State Government on 18.07.2024 was without considering the requirement of experienced staff and financial viability of the Corporation and the Government had independently and mechanically rejected the proposal. It is stated that retirement of experienced employees in the Corporation is causing difficulty to execute the work and till a decision is taken, the Petitioners should be permitted to continue in service. It is also stated that orders of retirement were issued by authority other than the

Managing Director, who is not contemplated in the rules and therefore, the same is bad.

4. In the counter affidavit filed by the Respondent-Corporation, it is stated that by circular dated 11.07.2022 under Section 175 of the Companies Act, 2015 earlier resolution passed on 22.03.2022 was withdrawn. Another resolution was passed by the Board of Respondent-Corporation in the meeting held on 30.09.2022 fixing the age of superannuation as 60 years to the employees of A.P State Housing Corporation Limited taking its financial status. It is also mentioned that subsequent to the decision taken by the Board taking the financial status of the Corporation and the crisis it is facing due to paucity of funds, the State Government had rightly rejected the enhancement of age from 60 to 62 years. It is also stated that it is a policy decision taken by the Government taking into consideration several factors. Reliance was also placed on the Judgments of this Court in W.A.No.392 of 2023 and batch, W.A.No.204 of 2024 and W.P.No.21294 of 2023.

5. Heard Sri Abhay Siddanth, Sri Veladi Sai Sri Harsha, Smt. Naga Chandrika, Sri Hanumantha Rao, learned counsel for the Petitioners and G.P. for Services II for the Respondents.

6. **Reasoning:** The A.P.State Housing Corporation is a State owned Corporation and in exercise of powers conferred under Section 141 of Articles of Association of the A.P.State Housing Corporation Limited, the State Government issued G.O.Ms.No.33 Housing (RH), dated 26.05.1998 approving the Staffing Pattern and General Service Rules of employees of Andhra Pradesh State Housing Corporation Limited.

7. These Rules were framed and named as **A.P. State Housing Corporation Limited General Service Rules**. As per Rule 4, a change in the Rules by way of amendment should be made with the prior approval of the Board as well as Government of Andhra Pradesh.

8. Originally, as per Rule 21, the age of superannuation and retirement of employees was 58 years and the Rule as framed is as under:

(i) *Every employee except Class IV shall retire from service of the Corporation on attainment of the age of fifty*

*eight years and the Class IV employees however shall retire on attaining the age of sixty years.*

9. Subsequently, the State Government issued G.O.Ms.No.102 Finance (HR.IV-FR) Department, dated 27.06.2017 enhancing the age of superannuation of employees listed in Schedules IX and X of the A.P. Re-organization Act, 2014. Pursuant thereto, the age of superannuation of the individuals in the Respondent-Corporation was enhanced to 60 years.

10. Thereafter, the State Government issued G.O.Ms.No.15 dated 31.01.2022 amending the Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984 and enhancing the age of Government employees from 60 to 62 years. In pursuance of the amendment, the Board of Respondent-Corporation on 22.03.2022 passed a resolution enhancing the age of superannuation of employees from 60 to 62 years and said proposals were forwarded to the State Government.

11. After the Board Resolution, a batch of writ petitions was filed before this Court i.e., W.P.Nos.11700 of 2024 and batch by the employees of the Respondent-Corporation for continuance of

their service till the age of superannuation of 62 years. This Court had initially granted an interim order in the respective writ petitions. Subsequently, the State Government vide letter dated 18.07.2024 rejected the same. In that view, the batch of writ petitions was dismissed by this Court with liberty to challenge the Government's decision.

12. The cause of action to file the present batch of writ petitions is that a Committee was constituted by the State Government vide G.O.Rt.No.1545, General Administration (Cabinet.I) Department dated 22.08.2025 for a detailed examination of feasibility and recommendations on the issue of enhancement of age of superannuation from 60 to 62 years for the employees working in Government Institutions/Societies/Corporations included in IX<sup>th</sup> and X<sup>th</sup> Schedules of the A.P. Re-organization Act, 2014 and also the Government's decision rejecting enhancement of age of superannuation. Hence, the present writ petitions were filed for the continuation of the services of the Petitioners.

13. It is pertinent to note that, as mentioned above, the age of superannuation as per the service regulations read with

G.O.Ms.No.102, dated 27.06.2017 is 60 years for the employees of the Corporation. As on date, there is no amendment to the Service Rules as there is no concurrence of the State Government for enhanced age of superannuation. It is to be noted that the age of superannuation is a condition of service and as per the Rules, any amendment requires concurrence of the State Government. Rule 4 of the A.P.State Housing Corporation Limited General Service Rules, reads as under:

**4. Change in Rules:**

*Any change or alteration or modification by way of an amendment to these rules shall be made with **prior approval** of the **Board and Government**.*

14. The term 'Government' was also defined in Rule 3(n) as meaning State Government. Rule 3(n) defining Government reads as under:

**3(n) "Government"** means Government of Andhra Pradesh.

15. The constitution of a Committee under G.O.Rt.No.1545, dated 22.08.2025 to examine the feasibility of enhancement of age of superannuation, *per se*, cannot be a ground for seeking

enhancement of superannuation at the age of 62 years pending consideration by the committee constituted. It is to be noted that the age of superannuation is a policy decision which has ramifications of recruitment as well as financial implications on the Respondent-Corporation and unless a concrete decision is taken by the State Government as contemplated under the Rules referred above, this Court, in anticipation of a decision of the Committee, cannot grant any relief to the Petitioners.

16. It is to be noted that continuance of employees beyond the age of superannuation would be contrary to the service conditions existing as on date and would amount to alteration of service conditions, which is impermissible. The Hon'ble Supreme Court in ***V.M. Gadre v. M.G. Diwan and Others***<sup>1</sup> held that even while exercising jurisdiction under Article 32 read with Article 142 of the Constitution of India, it would not be permissible for the Court to substitute all the existing service conditions. The relevant portion at paragraph 10 is extracted below:

***“...While exercising jurisdiction under Article 32 read with Article 142 it would not be permissible for the***

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<sup>1</sup> (1996) 3 SCC 454

***Court to substitute all the existing service conditions by a totally new set of service conditions.”***

17. The Hon'ble Supreme Court in ***Dr. Prakasan M.P., and Others v. State of Kerala***<sup>2</sup>, while dealing with the claim of enhanced age of superannuation, held that these are policy issues and it is not for Courts to prescribe a different age of superannuation. The relevant Paragraph thereof is extracted below;

***“11. It is well-settled that the age of retirement is purely a policy matter that lies within the domain of the State Government. It is not for the courts to prescribe a different age of retirement from the one applicable to Government employees under the relevant service Rules and Regulations. Nor can the Court insist that once the State had taken a decision to issue a similar Government Order that would extend the age of retirement of the staff teaching in the Homeopathic Colleges as was issued in respect of different categories of teaching staff belonging to the Dental stream and the Ayurvedic stream, the said G.O. ought to have been made retrospective, as was done when G.O. dated 14th January, 2010 was issued by the State and given retrospective effect from 1st May, 2009. These are all matters of policy that engage the State Government.***

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<sup>2</sup> 2023 Supreme (SC) 801

***It may even elect to give the benefit of extension of age to a particular class of Government employees while denying the said benefit to others for valid considerations that may include financial implications, administrative considerations, exigencies of service, etc.”***

18. Similarly, in ***New Okhal Industrial Development Authority and Another v. B.D. Singhal and Others***<sup>3</sup>, the Hon’ble Supreme Court held that the age of superannuation is a policy matter and not for the Courts to venture into. The Paragraphs 22 and 26 thereof are extracted below;

***“22. Whether the age of superannuation should be enhanced is a matter of policy. If a decision has been taken to enhance the age of superannuation, the date with effect from which the enhancement should be made falls within the realm of policy. The High Court in ordering that the decision of the State Government to accept the proposal to enhance the age of superannuation must date back to 29-6-2002 has evidently lost sight of the above factual background, more specifically (i) the rejection of the original proposal on 22-9-2009; and (ii) the judgment of the Division Bench dated 17-1-20124 refusing to set aside the order rejecting the proposal on 22-9-2009 which has attained finality. But there is a more fundamental objection to the basis of the decision of the High Court. The infirmity in the judgment lies in the fact that the High Court has***

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<sup>3</sup> 2021 SCC OnLine SC 466

*trenched upon the realm of policy making and has assumed to itself, jurisdiction over a matter which lies in the domain of the executive. **Whether the age of superannuation should be increased and if so, the date from which this should be effected is a matter of policy into which the High Court ought not to have entered.***"

*"26. The High Court's observation that the Government Order on 30-9-2012 increasing the age of superannuation prospectively is arbitrary seems to be based on the premise that the respondent employees have a vested right to the increase in the age of retirement on the passage of the resolution by Noida Authority. However, Section 19 of the Act stipulates that regulations — which would include amendments as in this case — will require the previous approval of the State Government. **The employees will have a vested right to the increased age of superannuation only after the Service Regulations are modified upon approval of the State Government, and from such date as may be prescribed by the Government.** Para 1(ii) of the Government Order issued on 30-9-2012 clearly and in unambiguous terms states that the order shall come into force prospectively. The government order can be given retrospective application only if expressly stated or inferred through necessary implication. Therefore, the respondent employees could not have claimed a vested right that the enhancement in the age of retirement should be made effective from the date on which Noida Authority had resolved to submit a proposal for the approval of the Government."*

19. A similar view was also taken in **Central Council for Research in Ayurvedic Sciences v. Bikartan Das**<sup>4</sup> vis-a-vis

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<sup>4</sup> (2023) 16 SCC 462

rejecting the claim of parity of age of superannuation by Ayush Doctor working in Central Council for Research in Ayurvedic Sciences (CCRAS), Ministry of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homeopathy (AYUSH) with the enhanced age of superannuation with Ayush doctors working in Ministry of Ayush and CGHS Hospitals. Paragraph 48 is extracted below:

*“48. We may only say that the entire approach of the High Court towards the present litigation was incorrect. We are a bit disappointed to observe that the High Court dealt with the present litigation in a very casual manner. **First, the High Court went to the extent of granting interim relief extending the period of service beyond 60 years till the disposal of the Original Petition by the CAT. By virtue of such interim order which the High Court ordinarily should not grant, the respondent No. 1 although was to retire in 2018 yet continued in service till 2021.** It is only when this Court stayed the operation of the impugned order passed by the High Court while issuing notice that the service of the respondent No. 1 came to an end. **The Court or the Tribunal should, therefore, be slow and circumspect in granting interim relief for continuation in service, unless prima facie evidence of unimpeachable character is produced because if the public servant succeeds, he can always be compensated. But if he fails, he would have enjoyed undeserved benefit of extended service and merely caused injustice to his immediate junior.** At the cost of repetition, we may state that the High Court was conscious of the fact as very much recorded in the impugned order that the respondent No. 1 was appointed as a Research Assistant and was functioning as a Researcher under the Research Council and his service conditions were also different compared to the AYUSH*

*doctors serving with the Ministry of AYUSH. **The High Court misdirected itself saying that the benefit of enhanced age of superannuation can also be granted if the duties performed are the same like AYUSH doctors. We fail to understand how can the Court fix the age of superannuation of an employee saying that he is very much devoted towards his job. The age of superannuation is always governed by statutory rules & other service conditions.***

20. Factually, it was decided to retire the employees of the Respondent-Corporation on attaining the age of 60 years as per the decision of the Board through circular dated 11.07.2022 in terms of the provisions of Section 175 of the Companies Act. This circular was referred to in the Board meeting held on 30.09.2022. The resolution reads as under:

**ITEM NO.4:**

*To take note of passing resolution through circulation for the action taken by the Managing Director to consider the proposal to superannuate the employees of age 60 years working in APSHCL*

*It is informed to the board that a resolution for proposal to Superannuate the employees of age 60 years working in APSHCL has been passed by the board through circulation on 11th day of the July 2022 in terms of the provisions of Section 175 of the Companies Act, 2013. The*

*following resolution was passed by the board through circulation.*

*"RESOLVED THAT the consent of the Board be and is hereby accorded to the proposal to retire the employees who have attained the superannuation age of 60 years on or after 01.01.2022 in Andhra Pradesh State Housing Corporation Limited."*

*"RESOLVED FURTHER THAT the Board has authorized the Managing Director of the company to make necessary steps with regard to the retirement of the employees who have attained the superannuation age of 60 years as on 01.01.2022 in Andhra Pradesh State Housing Corporation Limited and to do all such things necessary in this regard."*

*The Circular resolution was noted and taken on record by the Board.*

21. In view of the factual and legal position, no case is made out for the Petitioners and accordingly writ petitions are dismissed. No order as to costs.

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

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**NYAPATHY VIJAY, J**

Date: 18.11.2025

KLP

Note: L.R. copy be marked.