
(2026) 02 AP CK 1594

In the Andhra Pradesh High Court

Case No : Writ Petition No. 10755, 8603, 11558, 11488 Of 2021

L.Sanyasi, S/O Sanyasi & Ors

APPELLANT

Vs

State Of Andhra Pradesh & Ors

RESPONDENT

Date of Decision : 25-02-2026

Acts Referred:

Citation : (2026) 02 AP CK 1594

Hon'ble Judges : Harinath.N, J

Bench : Single Bench

Advocate : P Raghavendra Reddy, S Lakshminarayana Reddy, Somisetty Ganesh Babu

Final Decision : Disposed Of

Judgement

Harinath.N, J

1. The petitioners in WP.No.10755 of 2021 were appointed as NMRs/ Daily wage with effect from 01.07.1988. The petitioners 1 to 3 were appointed in the erstwhile Madhurawada Gram Panchayat. The 4th petitioner was appointed in Kommadi Grama Panchayat.

2. The petitioners in WP.No.11488 of 2021 were appointed as NMRs/Daily Wage. The petitioners 1 to 4 were appointed on NMR basis in Madhurawada Gram Panchayat. The 5th petitioner was appointed with P.M.Palem Gram Panchayat. The 6th petitioner is appointed as Bill Collector in Paradesipalem Gram Panchayat and the 7th petitioner was appointed in Bakkannapalem Gram Panchayat.

3. The petitioners in WP.Nos.8603 and 11558 of 2021 were appointed in Gajuwaka Municipality on NMR basis on various dates during the year 1989-90.

4. The common grievance of the petitioners in all the four writ petitions is that they are denied the benefit of regularization, they are all aggrieved by the denial of regularization of their services though they are entitled to and are working for the last several years without any blemish or any complaint from any quarter.

The 1st respondent had issued proceedings dated 20.03.2020 which is under challenge in WP.Nos.8603 and 11558 of 2021.

5. The learned counsel appearing for the petitioners submits that the petitioners in all the writ petitions have completed ten years of service as on the date of judgment passed by the Hon'ble Supreme Court in the matter of Secretary, State of Karnataka Vs. Uma Devi (2006) 4 SCC 1, the Hon'ble Supreme Court held that those persons who have completed ten years of service as on 10.04.2006 are entitled for regularization and directed the concerned departments to regularize their services.

6. It is submitted that the petitioners are also entitled for regularization in pursuance of G.O.Ms.No.212, dated 22.04.1994 and would be entitled for regularization as all of them have completed five years of service by 25.11.1993. It is submitted that several similarly placed employees filed WP.No.24377 of 2007 and in pursuance of the directions passed by this Court the services of the petitioners therein were regularized.

7. It is submitted that in the year 2005, all the Gram Panchayats where the petitioners were working got merged into Greater Visakha Municipal Corporation. It is submitted that the respondents tried to evade payment of salaries and routed the services of the petitioners through a Contractor. The petitioners filed WP.No.24471 of 2009 and this Court on 20.04.2010 passed interim orders directing to pay wages attached to the post of NMR directly by the Corporation instead of routing the same through the Contractor. The interim orders passed by this Court were complied and the petitioners are paid wages directly by the 3rd respondent Corporation. It is submitted that the petitioners are working in various posts and the work executed by the petitioners is perennial in nature.

8. It is also submitted that some of the employees approached the Andhra Pradesh Administrative Tribunal by filing OA.No.1082 of 2017 seeking regularization of their services from the date of completion of ten years of service, the said O.A. was dismissed vide order dated 05.06.2017. Thereafter they filed W.P.No.30105 of 2017 and this Court allowed the writ petition by directing the respondents therein to decide on the representation of the petitioners in light of the order passed by the Court in WP.No.24377 of 2007, which was confirmed in W.A.No.782 of 2010 and also in pursuance of the orders passed in W.P.No.27217 of 2017 within a period of two months and communicate the decision to the petitioners. It was left open for the petitioners to challenge the proceedings issued by the respondents if the petitioners are aggrieved with.

9. As the said order was not complied with, the writ petitioners filed C.C.No.297 of 2019 and the 1st respondent issued speaking order vide Memo No.19029/32/2018-G-SEC-MAUD, dated 20.03.2020. It is submitted that all the petitioners are paid wages directly the respondent-Corporation i.e., G.V.M.C., and time scale is extended to all the petitioners. It is also submitted that the services of the petitioners are neither disputed nor denied by the respondents. It is also

submitted that several similarly placed workmen who had approached this Court were granted orders directing regularization and several such employees services were regularized in various departments.

10. It is submitted that the respondents instead of regularizing the service of the petitioners have resorted to outsourcing the jobs and in that process routed the services of the petitioners through Contractors with a sole motive of avoiding regularization of the services of the petitioners. However, with the directions of this Court, the wages are paid directly by the respondent-Corporation. In such circumstances, the service of the petitioners ought to have been regularized.

11. The learned standing counsel for the respondent-Corporation submits that the cases of the petitioners cannot be considered for regularization as the petitioners were engaged by various Residents Welfare Associations and none of the petitioners have furnished the details relating to either the nature of engagement or the terms of service.

12. It is also submitted that the interim orders granted in W.P.No.2447 of 2009 is purely on account of the petitioners failing to submit the nature of duties attended and the nature of designation held by them while serving the erstwhile Gram Panchayats. The respondents have subsequently issued proceedings dated 16.08.2011 granting remuneration to the petitioners attached to NMRs. The said proceedings also made it very clear that it was for the petitioners to establish their engagement as NMRs in the erstwhile Gram Panchayats and failure to produce any proof; they would not be considered as NMRs.

13. It is submitted that ever since 16.08.2011, the petitioners are receiving remuneration on daily wages and are not entitled for regularization as per GOMs.No.212. The said G.O., prescribes 25.11.1993 as that cut-off date for minimum service of five years and the petitioners must be working against clear vacancies. As none of the petitioners could establish the engagement as NMRs by the erstwhile Gram Panchayats, they are not entitled for regularization of their services.

14. The petitioners have filed their reply and it is stated that the Panchayat Secretary addressed letters duly mentioning the names of petitioners and showing them as Sweepers by also referring to the dates of their initial engagement.

15. The petitioners also denied that there was no Contractor or Residents Welfare Associations who had engaged the services of the petitioners and the pay bills submitted by the respondent Corporation along with the counter would clear the ambiguity which is deliberately created by the respondent Corporation with regard to the payment of wages.

16. Heard the learned counsel for the petitioners and the learned standing counsel for the respondent. Perused the material on record.

17. The services of the petitioners in various Gram Panchayats prior to the

merger of the Gram Panchayats into Great Visakha Municipal Corporation (G.V.M.C) are not in dispute. It is also equally not in dispute that the petitioners have been continuously working from the date of their initial engagement. It is equally not in dispute that the petitioners are extended time scale and the wages are directly credited to the accounts of the petitioners from the account of G.V.M.C.

18. It is not the case of the G.V.M.C. that the petitioners cannot claim for regularization as they are not working in any sanctioned posts. It is also not the case of the respondents that the services of the petitioners are engaged seasonally as and when there is a requirement. Thus, clearing the air that the work of the petitioners is perennial in nature.

19. The reasons cited by the respondent for not considering the cases of the petitioners for regularization do not withhold the scrutiny of facts, law and logic. It is evident that similarly placed employees who approached this Court got their services regularized on the directions of this Court. The case of the petitioners is on par with similarly placed employees, whose services were regularized.

20. The Hon'ble Division Bench of this Court while disposing of WA.Nos.973 and 975 of 2024 had modified the order of the learned single Judge and directed the respondent-corporation to examine the cases of each petitioner as per their seniority and take appropriate decision to regularize them from the date of arising of clear and sanctioned vacancy. Six months time was granted for completing the entire exercise. The Hon'ble Division Bench also directed payment of time scale of the petitioners therein.

21. The Hon'ble Supreme Court in the matter of Pawan Kumar & Ors. Vs. Union of India & Ors SLP (C) No.29214 of 2019, decided on 13.02.2026, has considered the case of the appellants who were engaged as casual workers in the office of Commissioner of Income Tax, Gwalior for a considerable period of time. The appellants therein sought for regularization of their services and their efforts to succeed before the Central Administrative Tribunal were not fruitful. The Tribunal dismissed their case as they did not complete ten years of service as on 10.04.2006. The appellants filed a writ petition before the Madhya Pradesh High Court, which was dismissed. The appellants filed S.L.P., before the Hon'ble Supreme Court and the Hon'ble Supreme Court observed that regularization of similarly situated employees at other places had been undertaken since the year 2006 and that the appellants therein were treated discriminately. As such, directed the services of appellants therein to be regularized from 01.07.2006.

22. On the facts of this case, the services of the petitioners would have to be considered for regularization. However, a blanket direction to the respondents to regularize the services of all the petitioners is not feasible. In absence of the service record of each of the writ petitioners, thus it should be left open for the respondents to consider the cases of each of the petitioners individually on its merits. Following the judgment passed by the Hon'ble Division Bench of this

Court in W.A.Nos.973 and 975 of 2024, the petitioners shall be entitled for the same relief.

23. Accordingly, the respondent Corporation is directed to examine the cases of each of the petitioners in the respective writ petitions as per their seniority and take appropriate decision to regularize their services from the date of availability of a clear and sanctioned vacancy. The said exercise shall be completed within a period of six months from the date of receipt of this order. It is also made clear that the respondent-Corporation shall have to pay the time scale for the service of the petitioners.

24. With the above observation, the writ petitions are disposed off. No costs.

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