

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**THURSDAY ,THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE**

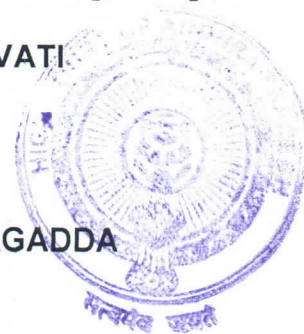
:PRESENT:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

IA No. 1 OF 2023

IN

WP NO: 6313 OF 2023



Between:

T V Subbarayudu, S/o Narasaiah, aged 60 years, Working as Principal in APTWREIS, Residential School (Boys) Srisailam Dam East, R/o, APTWREIS, Residential School (Boys) Srisailam Dam East, Srisailam (erstwhile Kurnool District) Presently Nandiyal District.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by it's the Special Chief Secretary, Government of Andhra Pradesh, Secretariat Buildings, Velagapudi Village, Tullur Mandal, Guntur District.
2. The State of Andhra Pradesh, rep by its Secretary, Tribal Welfare Department, Secretariat Buildings, Velagapudi Village, Tullur Mandal, Guntur District.
3. The Andhra Pradesh Tribal Welfare Residential Educational Institutions Society, , Rep. by its Vice Chairman, Moksha Sai Plaza, Beside Highway Towers, Tadepalli, Guntur District.
4. A.P.Tribal Welfare Residential Educational Institutions Society, , Residential School(Boys) rep by its Principal, Srisailam Dam East, (erstwhile Kurnool District) Presently Nandiyal District.
5. The State of Andhra Pradesh, rep by its Principal Secretary, Finance and Planning Department, Secretariat Buildings, Velagapudi Village, Tullur Mandal, Guntur District

Respondents

Counsel for the Petitioner :G SIMHADRI

Counsel for the Respondent Nos. 1 and 2 :GP FOR SERVICES II

Counsel for the Respondent Nos. 3 and 4 : Smt . ANITHA

Counsel for the Respondent Nos. 5 :GP FOR FINANCE AND PLANNING

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 all the Respondents to continue the petitioner in service till he attains the age of 62 years in his post, by suspending the proceedings of the 3rd Respondent in Rc.No. APTWRE-11049/10/2016-ADMIN-APTWREIS, dated 06-02-2023 to the Petitioner is

permitted to retire from the Public Service on 31-03-2023 on attaining the age of Superannuation i.e., 60 years as on 31-03-2023, in pursuance of the Cir. Memo No.1813129/FIN01-HR/212/2022-HR-IV, dated 23.09.2022, issued by the 1st Respondent by directing all the respondents to continue the Petitioner in service as Residential School Principal in APTWREIS under the 4th respondent, Pending disposal of WP No. 6313 of 2023, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

"Heard both sides.

Learned counsel for the petitioner has drawn the attention of this Court to the Order of this Court dated 28.09.2022 in W.P.No.31714 of 2022, wherein, the Circular Memo No.1813129/FIN01- HR/212/2022-HR-IV, dated 28.09.2022 issued by the Government and the proceedings No.ANU/Estt/NTS/S.I.R.O/2022 dated 19.09.2022 issued by the official respondents have been suspended.

In this view of the matter, this Court deems it appropriate that similar order be passed. There shall be an interim suspension of the proceedings in Rc.No.APTWRE-11049/10/2016-ADMIN-APTWREIS, dated 06.02.2023 issued by the 3rd respondent and the respondents are further directed to reinstate and continue the service of the petitioner till he attain the age of superannuation i.e., 62 years without any break and with all consequential attendant benefits including regular pay and allowances."

//TRUE COPY//

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

For /

SECTION OFFICER

To,

1. The Special Chief Secretary, Government of Andhra Pradesh, Secretariat Buildings, Velagapudi Village, Tullur Mandal, Guntur District.
2. The Secretary, Tribal Welfare Department, Secretariat Buildings, Velagapudi Village, Tullur Mandal, Guntur District.
3. The Vice Chairman, Andhra Pradesh Tribal Welfare Residential Educational Institutions Society, Moksha Sai Plaza, Beside Highway Towers, Tadepalli, Guntur District.
4. The Principal, A.P.Tribal Welfare Residential Educational Institutions Society, Residential School(Boys), Srisailem Dam East, (Erstwhile Kurnool District) Presently Nandiyal District.

5. The Principal Secretary, Finance and Planning Department, Secretariat Buildings, Velagapudi Village, Tullur Mandal, Guntur District. (Addressess 1 to 5 by RPAD- along with a copy of petition and affidavit)
6. One CC to SRI. G SIMHADRI Advocate [OPUC]
7. Two CCs to GP FOR SERVICES II ,High Court Of Andhra Pradesh. [OUT]
8. Two CCs to GP FOR FINANCE AND PLANNING,High Court Of Andhra Pradesh. [OUT]
9. One CC to Smt. ANITHA, Standing Counsel [OPUC]
10. One spare copy.

psk

HIGH COURT

NVJ

DATED:16/03/2023

LIST ON 10.04.2023

**IA No. 1 OF 2023
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WP NO: 6313 OF 2023**

INTERIM SUSPENSION

