

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
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
WRIT PETITION 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

WHEREAS the Petitioner above named through his/her Advocate G SIMHADRI presented this 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 orders more particularly one in the nature of Writ of Mandamus declaring the action of the 4th Respondent in issuing Rc.No. APTWRE-11049/10/2016-ADMIN-APTWREIS,dated 06-02-2023 to Petitioner 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, is contrary to G.O.Ms.No.235, dated 29.11.1991, being illegal, arbitrary and violation of Article 14, 21 and 309 of the Constitution of India, contrary to the Order of this in W.P.No.31714/2022 dated 28-09-2022 and consequently direct the Respondents to continue the petitioner as Residential School Principal in APTWREIS

Junior College under the 4th respondent till he attains the age of 62 years, by setting aside the proceedings of the 4th Respondent in Rc.No. APTWRE-11049/10/2016-ADMIN-APTWREIS, dated 06-02-2023, in pursuance of the Cir. Memo No.1813129/FIN01- HR/212/2022-HR-IV, dated 23.09.2022, issued by the 1st Respondent and pass

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri G SIMHADRI Advocate for the Petitioner and of GP FOR SERVICES-II for Respondent Nos. 1 and 2, Smt. ANITHA, Advocate for Respondent Nos. 3 and 4, GP FOR FINANCE for Respondent No.5, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

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), Srisailam Dam East, (Erstwhile Kurnool District) Presently Nandiyal District.
5. The Principal Secretary, Finance and Planning Department, Secretariat Buildings, Velagapudi Village, Tullur Mandal, Guntur District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith(copy enclosed) this WRIT PETITION should not be admitted on or before 10.04.2023, on which date the case stands posted for hearing.

The Court made the following: ORDER

"Notice before admission.

Learned Government Pleader for Services II takes notice for respondent Nos. 1 and 2.

Smt. Anitha, learned standing counsel takes notice for respondent Nos.3 and 4.

Learned Government Pleader for Finance and Planning takes notice for respondent No.5.

Learned counsel for the respondents seeks time for filing counter.

List the matter on 10.04.2023."

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

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), Srisailam 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 ,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

NOTICE BEFORE ADMISSION

WP.No.6313 of 2023

