



(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
TUESDAY, THE ELEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA
WRIT PETITION NO: 8656 OF 2023

Between:

B Venkoba Rao, S/o. Srinivasa Rao, Age. 60 years, Occ. Rtd. Senior Assistant,
R/o. #7-6-252, Mitta Street, Tirupati, Tirupati District, Andhra Pradesh.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Finance Department, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
2. The Principal Secretary, Government of Andhra Pradesh, Energy Department, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
3. The Principal Secretary, Government of Andhra Pradesh, General Administration Department, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
4. The AP TRANSCO, Rep. by its Chairman and Managing Director, Vidyut Soudha, Gunadala, Vijayawada, Andhra Pradesh 520 004.
5. The Southern Power Distribution Company of AP Ltd., Rep. by its Chairman and Managing Director, Corporate Office, Srinivasapuram, Behind Srinivasa Kalyana Mandapam, Tirupati, Tirupati District, Andhra Pradesh.
6. The Chief General Manager (HRD), APSPDCL, Corporate Office, Srinivasapuram, Behind Srinivasa Kalyana Mandapam, Tirupati, Tirupati District, Andhra Pradesh.
7. The Superintendent Engineer (Operation), APSPDCL, Tirupati Operation Circle, Tirupati, Tirupati District, Andhra Pradesh

Respondents

WHEREAS the Petitioner above named through his Advocate Sri Peeta Raman 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 or order, orders or directions particularly one in the nature of Writ of Mandamus

- i. declaring the action of the 1st respondent in not extending the benefit of enhancement of the age of superannuation from 60 years to 62 years to the employees of 5th respondent just like that was done earlier while enhancing the age of superannuation from 58 years to 60 years.
- ii. and also the action of the 5th respondent in not sending proposals to the respondents 1 to 3 seeking enhancement of the age of superannuation from 60 years to 62 years to the employees of the 5th respondent by choosing to amend the Regulation 16 (a) (1) and (2) of the APSEB Service Regulations Part-I just like that was done

- earlier while enhancing the age of superannuation from 58 years to 60 years. and further
- iii. the action of the 7th respondent in saying to retire the petitioner from service w.e.f., 31-12-2022 instead of choosing to continue in service till he completes 62 years just like that was done for government employees under the Andhra Pradesh Ordinance No.1 of 2022 (Ordinance-2022) as illegal, arbitrary, discriminative, unjust, colourable exercise of powers, opposed to the 'doctrine of legitimate expectation' besides violative of the Arts.14, 16 and 21 of the Constitution of India. and
- iv. consequently, direct the 5th respondent to send proposals to the respondents 1 to 3 seeking permission to enable him to enhance the age of superannuation from 60 years to 62 years and also direct the respondents 1 to 5 to extend the benefit of enhancement of the age of superannuation from 60 years to 62 years to the employees of 5th respondent just like that was done earlier while enhancing the age of superannuation from 58 years to 60 years without reference to the fact that such proposals for enhancement of the age of superannuation are received from 5th respondent or not and also set aside the retirement of the petitioner w.e.f., 31-12-2022 enabling him to reinduct into service to continue in service till he completes 62 years

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Peeta Raman Advocate for the Petitioner, GP for Services I for the Respondent Nos. 1 to 3, Sri Anup Koushik Karavadi, Standing Counsel for the Respondent No.4, Sri V.R.Reddy Kovvuri, Standing Counsel for the Respondent Nos. 5 to 7, 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 Principal Secretary, Finance Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
2. The Principal Secretary, Government of Andhra Pradesh, Energy Department, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
3. The Principal Secretary, Government of Andhra Pradesh, General Administration Department, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
4. The Chairman and Managing Director, AP TRANSCO, Vidyut Soudha, Gunadala, Vijayawada, Andhra Pradesh 520 004.
5. The Chairman and Managing Director, Southern Power Distribution Company of AP Ltd., Corporate Office, Srinivasapuram, Behind Srinivasa Kalyana Mandapam, Tirupati, Tirupati District, Andhra Pradesh.
6. The Chief General Manager (HRD), APSPDCL, Corporate Office, Srinivasapuram, Behind Srinivasa Kalyana Mandapam, Tirupati, Tirupati District, Andhra Pradesh.
7. The Superintendent Engineer (Operation), APSPDCL, Tirupati Operation Circle, Tirupati, Tirupati District, Andhra Pradesh

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 within four weeks.

The Court made the following order :

"Notice before admission.

Learned Government Pleader for Services-I takes notice for respondent Nos.1 to 3.

Sri Anup Koushik Karavadi, Learned Standing Counsel for APTRANSCO takes notice for respondent No.4.

Sri V.R. Reddy Kovvuri, learned Standing Counsel for APSPDCL takes notice for respondent Nos. 5 to 7.

Learned Standing Counsel appearing for the respondents seeks time for filing counter.

List the matter after four (04) weeks."

**Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR**

AS

//TRUE COPY//

For

SECTION OFFICER

To,

1. The Principal Secretary, Finance Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
2. The Principal Secretary, Government of Andhra Pradesh, Energy Department, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
3. The Principal Secretary, Government of Andhra Pradesh, General Administration Department, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
4. The Chairman and Managing Director ,AP TRANSCO, Vidyut Soudha, Gunadala, Vijayawada, Andhra Pradesh 520 004.
5. The Chairman and Managing Director, Southern Power Distribution Company of AP Ltd., Corporate Office, Srinivasapuram, Behind Srinivasa Kalyana Mandapam, Tirupati, Tirupati District, Andhra Pradesh.
6. The Chief General Manager (HRD), APSPDCL, Corporate Office, Srinivasapuram, Behind Srinivasa Kalyana Mandapam, Tirupati, Tirupati District, Andhra Pradesh.
7. The Superintendent Engineer (Operation), APSPDCL, Tirupati Operation Circle, Tirupati, Tirupati District, Andhra Pradesh(1 to 7 by RPAD- along with a copy of petition and affidavit)
8. One CC to Sri Peeta Raman Advocate [OPUC]
9. Two CCs to GP for Services-I, High Court Of Andhra Pradesh. [OUT]
10. One CC to Sri Anup Koushik Karavadi, Standing Counsel [OPUC]
11. One CC to Sri V.R.Reddy Kovvuri, Standing Counsel [OPUC]
12. One spare copy

HIGH COURT

NVJ

DATED:11/04/2023

LIST THE MATTER AFTER FOUR (04) WEEKS

NOTICE BEFORE ADMISSION

WP.No.8656 of 2023

