

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

FRIDAY, THE TWENTY EIGHTH DAY OF JUNE  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HON'BLE DR JUSTICE K. MANMADHA RAO

WRIT PETITION NO: 11634 OF 2020

Between:

S.Venkateswarlu, S/o.Subba Rao, Aged about 58 Years, Occ: Driver (Grade-I)  
R/o. Kankatapalem Village, Kankatapalem Bapatla Mandal, Bapatla, Guntur  
District Andhra Pradesh- 522101.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep.by it's Principal Secretary, Technical Education Department, Secretariat, Velagapudi Amaravathi, Guntur District.
2. The State Board of Technical Education and Training, A.P Higher Education Bhavan, 5<sup>th</sup> Floor, A.N.R Towers Jammichettu Street, Prasadampadu, Vijayawada- 521108 Represented by it's Commissioner.
3. All India Council for Technical Education Indira Gandhi Sports Complex, 1.P Estate, Delhi-2 Represented by it's Secretary.
4. Bapatla Engineering College, Mahatmajipuram, Bapatla, Bapatla Mandal Guntur District Andhra Pradesh -522101, Represented by its Secretary.
5. The Principal, Bapatla Engineering College, Mahatmajipuram, Bapatla, Bapatla Mandal Guntur District Andhra Pradesh -522101.
6. The Bapatla Education Society, Bapatla Represented by its President, Mahatmaji Puram, GBC Road, Bapatla, Guntur Dist - 522 101.

...RESPONDENTS

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 that action of the 5<sup>th</sup> Respondent in issuing proceedings vide BEC/PF/254 dated.01.05.2020 retiring the



Petitioner on attaining 58 years of age and the non-continuation of the petitioners service as Driver(Grade-I), up to the age of 60 Years as wholly illegal, arbitrary, contrary to the provisions of Section 78-A of the A.P Education Act, AFRC Regulations and AICTE Regulations, besides being violation of principles of natural justice, Article 14 and 21 of Constitution of India.

**IA NO: 1 OF 2020**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents including Nos. 4 to 6 to continue the Petitioner herein in service as Driver until the age of 60 years in view of the amended Section 78A of A.P Education Act, AFRC guidelines & AICTE Regulations and in furtherance of earlier views taken by this Hon'ble court in respective matters, pending disposal of the above writ petition.

**Counsel for the Petitioner : M/s. PASUPULETI BHAVYA SREE FOR  
SRI CHALLA GUNARANJAN**

**Counsel for the Respondent Nos.1 & 2 : GP FOR EDUCATION**

**Counsel for the Respondent No.3 : SRI P.S.P. SURESH KUMAR,  
SC FOR AICTE**

**Counsel for the Respondent Nos.4 to 6 : SRI GANTA SRIDHAR**

**The Court made the following: ORDER**





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

[3310]

FRIDAY, THE TWENTY EIGHTH DAY OF JUNE  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 11634/2020

Between:

S.venkateswarlu,

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. CHALLA GUNARANJAN

Counsel for the Respondent(S):

1. GP FOR EDUCATION

2. GHANTA SRIDHAR

The Court made the following:

ORDER:

The Writ Petition is filed under Article 226 of the Constitution of India,  
seeking the following relief:

*"..... to issue a Writ, Order or Direction more particularly one in the nature of Writ of mandamus declaring that action of the 5<sup>th</sup> Respondent in issuing proceedings vide BEC/PF/254 dated 01.05 2020 retiring the Petitioner on attaining 58 years of age and the non-continuation of the petitioners service as Driver(Grade-I) up to the age of 60 Years as wholly illegal, arbitrary, contrary to the provisions of Section 78-A of the A.P Education Act, AFRC Regulations and AICTE*

*Regulations besides being violation of principles of natural justice and Article 14 and 21 of Constitution of India."*

2. As observed from the proceeding sheet, this Court by order, dated 17.07.2020, directed the respondents including Respondent Nos.4 to 6 to continue the petitioner herein in service as 'Driver' until the age of 60 years in view of the amended Section 78-A of A.P Education Act, AFRC guidelines & AICTE Regulations and in furtherance of earlier views taken by this Hon'ble Court in respective matters.

3. Heard Pasupuleti Bhavya Sree, learned counsel representing Sri Challa Gunaranjan, learned counsel for the petitioner on record. There is no representation for the respondents.

4. During hearing, learned counsel appearing on behalf of learned counsel for the petitioner submits that the Government has enhanced the age of superannuation from 60 to 62 years. She further submits that that as per the interim orders of this Court, dated 17.07.2020, the respondents have been continuing the petitioner herein in service as 'Driver' till date and he is going to attain the age of superannuation within few months. She further submits that as the grievance of the petitioner was redressed and he has been continuing in service as 'Driver', no further orders are required to be passed in this Writ Petition.

5. Hence, recording the above submissions, the Writ Petition is closed. There shall be no order as to costs.

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

**//TRUE COPY//**

**SD/- K.SRINIVASA RAJU  
ASSISTANT REGISTRAR**

**SECTION OFFICER**

**To,**

1. One CC to Sri Challa Gunaranjan, Advocate [OPUC]
2. Two CCs to GP for Education, High Court of Andhra Pradesh. [OUT]
3. One CC to Sri P.S.P. Suresh Kumar, SC for Gram Panchayat (OPUC)
4. One CC to Sri Ganta Sridhar, Advocate (OPUC)
5. Three C.D. Copies.

Cnr

**HIGH COURT**

**DATED:28/06/2024**

**ORDER**

**WP.No.11634 of 2020**



**CLOSING THE W.P.  
WITHOUT COSTS**