

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE TENTH DAY OF MAY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA
WRIT PETITION NO: 12294 OF 2023



Between:

Sri. U.V. Ramesh Babu, S/o.Venkayya Hindu, Male, aged 62 years Retired Deputy Superintendent of Police, C.I.D., (Rajamahendravaram, East Godavari District), R/o D.No. 25/13/20, Flat No. 304, SR Towers, RV Rao Street, N.R.Pet, 26th Ward, Eluru, Eluru District Aadhaar No. 8440 6293 8522 Mobile No. 94948 88565

-- Petitioner

AND

1. The State of Andhra Pradesh, Rep., by its **Principal Secretary** Department of **Finance** Government of A.P., 2nd Block, 1st Floor, A.P Secretariat Office, Velagapudi.
2. The State of Andhra Pradesh, Rep., by its **Special Chief Secretary**, Department of **Labour, Factories, Boilers & Insurance Medical Services** Government of A.P., 5th Block, Ground Floor, Room No.159, A.P Secretariat Office, Velagapudi Phone. 0863-2445566 Email. secy_letf@ap.gov.in
3. The State of Andhra Pradesh, Rep., by its **Principal Secretary** Department of Home Government of A.P., 2nd Block, Ground Floor, Room No.185, A.P Secretariat Office, Velagapudi Email. prlsecy_home@ap.gov.in
4. **The Andhra Pradesh Government Life Insurance**, Anjaneya Towers, 5th Floor, C-Block, Ibrahimpatnam, Krishna Dt., PIN-521456 Rep., by its Director.
5. **The Director of Insurance**, The Directorate of Insurance Dept., Govt., of A.P. Anjaneya Towers, 5th Floor, C-Block, Ibrahimpatnam, Krishna Dt., PIN-521456
6. **The Deputy Director of Insurance**, District Insurance Office, Govt., of A.P., D.No.20-1-34, IInd Floor, Sundai Plaza, Subash Street, Kakinada, East Godavari District, PIN-533001
7. **The Deputy Director of Insurance**, District Insurance Office, Govt., of A.P., D.No.23B-5-85, Sri Nanduri Mansion, Opp. Eluru Prardhana Samajam, Near Venkataraoopeta School, RRPeta, Eluru-534002, Eluru District.
8. **The Joint Director of Insurance**, District Insurance Office, Govt., of A.P., D.No. 23-22-135/1, Hanuman Street, Beside SBI, Near Shivaji Cafe, Satyanarayanapuram, Vijayawada-1 1 Krishna Dt., Andhra Pradesh.
9. **The Joint Director of Insurance**, District Insurance Office, Govt., of A.P. D.No. 8-22-23, 2nd Line, Sitaramnagar, Mangalagiri Road, Guntur-1.
10. **The Director General of Police**, Government of A.P., Mangalagiri Gunturu District.
11. **The Superintendent of Police, Guntur Rural District**, Guntur
12. **The Superintendent of Police**, O/o The Superintendent of Police Kurnool Road, Ongole, **Prakasam District** - 523001 Phone. 08592-286100 Email. sp@pkm.appolice.gov.in

-- Respondents

WHEREAS the Petitioner above named through his Advocate Sri. G Ronald Raju, 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 pass an Order or Direction or any other appropriate Writ, more particularly, one in the nature of Writ of Mandamus, declaring that

(a) the unilateral clause/stipulation imposed, particularly, in Para Nos.7b, 7c, 9, 10, and 12 of G.O.Ms.No.36-Finance (ADMN.DI & IF) Department, dt.05/03/2016 and in Para Nos.4, 11 of Comprehensive Rules Clarifications from APGLI Office File No.FIN04-38/84/2022-GENERAL SEC.DOID Memo No.03/General 11/2005-06/2009-10/2015-16/2022-23, dt. 25/10/2022, stating that the Employees/Subscribers of APGLI will not get insurance coverage for the enhanced premiums recovered from their salaries and remitted to APGLI, through DDOs, unless, the Proposal Forms for every enhanced premium are collected by DDOs and Bonds for enhanced premiums are issued to the Employees/Subscribers, are illegal, capricious, arbitrary, violative of Art.14, 21, 300A of Constitution of India, violative of Sec.2(46)(vi) of Consumer Protection Act.

(b) for a consequential Direction to Respondents, to pay full insurance amount, together with interest @24% p.a., to me, due under my Membership Number APGLIC-A/CNo.2302530, from the date of my admission into APGLI, till the date of payment, basing on the premium amounts deducted from my salary through the Unit Officers, every month, from my date of joining, till my retirement, without insisting for the Proposal Forms for the enhanced premiums and production of the Bonds for the enhanced premiums.

(c) to direct the Respondents to pay costs, as decided by this Hon'ble Court, giving liberty to me to pursue common Law remedies to claim compensation, for the inordinate delay caused in settling my claim due under my Membership Number APGLIC-A/CNo.2302530.

(d) for Costs of the Petition. and to pay full insurance amount, together with interest @24% p.a., to me, due under my Membership Number APGLIC A/CNo.2302530, from the date of my admission into APGLI, till the date of payment, basing on the premium amounts deducted from my salary through the Unit Officers, every month, from my date of joining, till my retirement, without insisting for the Proposal Forms for the enhanced premiums and production of the Bonds for the enhanced premiums. grant such other relief or reliefs as the Honourable Court may deems fit and just in the circumstances of the case;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri. G. Ronald Raju, Advocate for the Petitioner, learned GP for Finance for respondent No.1, learned GP for Labour Dept., for respondent No.2, learned GP for Home for respondent Nos.3 and Sri. Raj Kiran, Standing Counsel for respondent Nos.4 to 9, 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**, The State of Andhra Pradesh, Department of **Finance** Government of A.P., 2nd Block, 1st Floor, A.P Secretariat Office, Velagapudi.
2. The **Special Chief Secretary**, The State of Andhra Pradesh, Department of **Labour, Factories, Boilers & Insurance Medical Services** Government of A.P., 5th Block, Ground Floor, Room No.159, A.P Secretariat Office, Velagapudi Phone. 0863-2445566 Email. secy_ltf@ap.gov.in
3. The **Principal Secretary**, The State of Andhra Pradesh, Department of Home Government of A.P., 2nd Block, Ground Floor, Room No.185, A.P Secretariat Office, Velagapudi Email. prlsecy_home@ap.gov.in
4. The Director, **The Andhra Pradesh Government Life Insurance**, Anjaneya Towers, 5th Floor, C-Block, Ibrahimpatnam, Krishna Dt., PIN-521456.
5. **The Director of Insurance**, The Directorate of Insurance Dept., Govt., of A.P. Anjaneya Towers, 5th Floor, C-Block, Ibrahimpatnam, Krishna Dt., PIN-521456
6. **The Deputy Director of Insurance**, District Insurance Office, Govt., of A.P., D.No.20-1-34, IInd Floor, Sundai Plaza, Subash Street, Kakinada, East Godavari District, PIN-533001
7. **The Deputy Director of Insurance**, District Insurance Office, Govt., of A.P., D.No.23B-5-85, Sri Nanduri Mansion, Opp. Eluru Prardhana Samajam, Near Venkataraoopeta School, RRPeta, Eluru-534002, Eluru District.
8. **The Joint Director of Insurance**, District Insurance Office, Govt., of A.P., D.No. 23-22-135/1, Hanuman Street, Beside SBI, Near Shivaji Cafe, Satyanarayanapuram, Vijayawada-1 Krishna Dt., Andhra Pradesh.
9. **The Joint Director of Insurance**, District Insurance Office, Govt., of A.P. D.No. 8-22-23, 2nd Line, Sitaramnagar, Mangalagiri Road, Guntur-1.
10. **The Director General of Police**, Government of A.P., Mangalagiri Gunturu District.
11. **The Superintendent of Police, Guntur Rural District**, Guntur
12. **The Superintendent of Police**, O/o The Superintendent of Police Kurnool Road, Ongole, **Prakasam District** - 523001 Phone. 08592-286100 Email. sp@pkm.appolice.gov.in

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.

The Court made the following ORDER

“Notice before admission.

Learned Government pleader for respondents 1,3 and 9 seeks time to file counter.

Post after Summer Vacation, 2023 for filing counter."

SD/- A.VIJAYA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For

To,

1. The **Principal Secretary**, The State of Andhra Pradesh, Department of **Finance** Government of A.P., 2nd Block, 1st Floor, A.P Secretariat Office, Velagapudi.
2. The **Special Chief Secretary**, The State of Andhra Pradesh, Department of **Labour, Factories, Boilers & Insurance Medical Services** Government of A.P., 5th Block, Ground Floor, Room No.159, A.P Secretariat Office, Velagapudi Phone. 0863-2445566 Email. secy_letf@ap.gov.in
3. The **Principal Secretary**, The State of Andhra Pradesh, Department of Home Government of A.P., 2nd Block, Ground Floor, Room No.185, A.P Secretariat Office, Velagapudi Email. prlsecy_home@ap.gov.in
4. The Director, **The Andhra Pradesh Government Life Insurance**, Anjaneya Towers, 5th Floor, C-Block, Ibrahimpatnam, Krishna Dt., PIN-521456.
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10. **The Director General of Police**, Government of A.P., Mangalagiri Gunturu District.
11. **The Superintendent of Police, Guntur Rural District**, Guntur
12. **The Superintendent of Police**, O/o The Superintendent of Police Kurnool Road, Ongole, **Prakasam District** - 523001 Phone. 08592-286100 Email. sp@pkm.appolice.gov.in (Addressees Nos.1 to 12 by RPAD- along with a copy of petition and affidavit)
13. One CC to SRI. G RONALD RAJU Advocate [OPUC]
14. Two CCs to GP FOR HOME, High Court of Andhra Pradesh. [OUT]
15. Two CCs to GP FOR FINANCE, High Court of Andhra Pradesh. [OUT]
16. Two CCs to GP FOR LABOUR DEPT., High Court of Andhra Pradesh. [OUT]
17. One CC to Sri. Raj Kiran, Standing Counsel [OPUC]
18. One spare copy

KJ/

HIGH COURT

NV,J

DATED:10/05/2023

NOTE: Post after Summer Vacation, 2023

NOTICE BEFORE ADMISSION

WP.No.12294 of 2023

