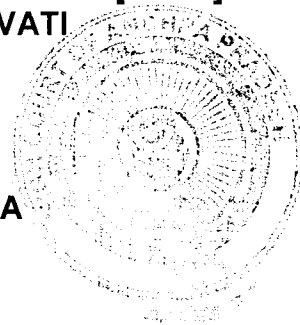


**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

WEDNESDAY, THE FIFTEENTH DAY OF DECEMBER,
TWO THOUSAND AND TWENTY ONE

:PRESENT:

**THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NO: 26199 OF 2021**



Between:

B.Rajendra Prasad, S/o.B.Surya Rao, Aged about 39 years, Occ: Physiotherapist,
R/o.Vadapalem village, Kalingapatnam, Gara Mandal, Srikakulam District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary to Government, Health, Medical and Family Welfare Department, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Director of Public Health & Family Welfare, Government of Andhra Pradesh, 2nd Floor, B-Block, Himagna Towers, D.No.159, LIC Colony Adda Road, Saipuram Colony, Road One Centre, Gollapudi, Vijayawada Rural, Krishna District.
3. The Collector and District Magistrate, Srikakulam District at Srikakulam.
4. The District Medical and Health Officer, Srikakulam District, Srikakulam.
5. The Superintendent, Government General Hospital, Srikakulam, Srikakulam District

...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 any writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents in filling the post of the Physiotherapist in Government General Hospital, Srikakulam district in relation to the Notification in Rc.No.1845/E1/2021, dated 13.9.2021, ignoring the qualifications of the petitioner as Physiotherapist working under Samagra Shiksha at different IERCS of Srikakulam District as the same is illegal, arbitrary and violative of principles of natural justice and consequently direct the respondents to fill the post of Physiotherapist taking into consideration of the qualifications and experience of the petitioner, who worked under Samagra Shiksha at different IERCS of Srikakulam District.

IA NO: 1 OF 2021

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 stay the final merit list issued in the month of September, 2021 in relation to the Notification in Rc.No.1845/E1/2021, dated 13.9.2021 to fill the post of Physiotherapist in Government General Hospital, Srikakulam, pending disposal of WP.No.26199 of 2021, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Krishna Rao.M, Advocate for the Petitioner and GP for Medical & Health, for the Respondents, the Court made the following.

ORDER:

“Heard the learned counsel for the petitioner.

Though the petitioner has filed certain documents, the same were filed along with a Memo. Learned counsel to file these documents along with affidavit, so that the same can be considered.

Though sufficient time is granted to the respondents to enable them to furnish written instructions to the learned Government Pleader, the same has not been done.

Considering the submissions made by the learned counsel for the petitioner that objections were submitted to the Notification dated 13.09.2021 on 21.10.2021 to the 3rd respondent, there shall be interim direction to the 3rd respondent to take necessary action on the same, within a period of four (04) weeks from the date of receipt of a copy of this order.

List the matter on 19.01.2022."

Sd/- G.Hela Naidu
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary to Government, Health, Medical and Family Welfare Department, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District, State of Andhra Pradesh.
2. The Director of Public Health & Family Welfare, Government of Andhra Pradesh, 2nd Floor, B-Block, Himagna Towers, D.No.159, LIC Colony Adda Road, Saipuram Colony, Road One Centre, Gollapudi, Vijayawada Rural, Krishna District.
3. The Collector and District Magistrate, Srikakulam District at Srikakulam.
4. The District Medical and Health Officer, Srikakulam District, Srikakulam.
5. The Superintendent, Government General Hospital, Srikakulam, Srikakulam District (Addresses 1 to 5 by RPAD)
6. One CC to Sri. Krishna Rao.M, Advocate [OPUC]
7. Two CCs to GP for Medical & Health, High Court of Andhra Pradesh. [OUT]
8. One spare copy

MM

HIGH COURT

NJSJ

DATED:15/12/2021

NOTE: LIST THE MATTER ON 19.01.2022

ORDER

WP.No.26199 of 2021

INTERIM DIRECTION

