



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

**TUESDAY, THE TWENTY FIFTH DAY OF APRIL,
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA
WRIT PETITION NO: 10172 OF 2023**

Between:

Padavala Kotamma, W/o.PVVS Hanumantha Rao, Aged 59 years, Occ:
Secondary Grade Teacher, Visakhapatnam Port Educational Society,
R/o.FlatNo.402, Bhavana Enclave, Road No.8, Kunnanpalem,
Sathavahananagar, Visakhapatnam, Andhra Pradesh-530046.

...Petitioner

AND

1. The Visakhapatnam Port Authority, Represented by its Chairman,
Visakhapatnam Port Trust, Port Area, Visakhapatnam.
2. Visakhapatnam Port Educational Society, Represented by its
Secretary, Visakhapatnam Port Trust, Port Area Visakhapatnam.

...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 particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in issuing proceedings dated 13.02.2023 in Lr.No.VPES/157/Retire/PHS1/23/515 seeking to retire the Petitioner at the age of 60 years instead of 62 years as per rules of the Government of AP, as arbitrary, illegal, erroneous, and in violation of Articles 14 and 16 of the Constitution of India and consequently set-aside the same further direct the respondents to continue the petitioner into service till 62 years instead of 60 years in the interest of justice.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to continue the petitioner till 62 years by suspending the proceedings issued by the 2nd respondent dated 13.02.2023 in Lr.No.VPES/157/Retire/PHS1/23/515, pending disposal of WP.No.10172 of 2023, 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 N.Vijay, Advocate for the Petitioner and Sri Ravi Teja Padiri, Standing Counsel for the Respondents, the Court made the following;

ORDER:

**"Heard learned counsel for the petitioner and learned standing
counsel for the Respondents.**

Learned standing counsel for the Respondents furnished the written instructions wherein it is stated that the Port School is closed and the employees of the Port School were re-designated in the authority of Respondent No.1.

Therefore, Respondents are directed to continue the petitioner in service till age of superannuation i.e., 62 years, without any break and with all consequential attendant benefits including regular pay and allowances, pending disposal of the Writ Petition.

Post the matter after Summer Vacation, 2023 "

//TRUE COPY//

Sd/- K.TATA RAO
DEPUTY REGISTRAR

SECTION OFFICER

For ASSISTANT REGISTRAR

To,

1. The Chairman, Visakhapatnam Port Authority, Visakhapatnam Port Trust, Port Area, Visakhapatnam.
2. The Secretary, Visakhapatnam Port Educational Society, Visakhapatnam Port Trust, Port Area Visakhapatnam. (Addressee Nos.1 & 2 by RPAD)
3. One CC to Sri. N.Vijay, Advocate [OPUC]
4. One CC to Sri. Ravi Teja Padiri, Advocate [OPUC]
5. One spare copy

MM

HIGH COURT

NVJ

DATED:25/04/2023

NOTE: POST THE MATTER AFTER SUMMER VACATION, 2023

ORDER

WP.No.10172 of 2023

DIRECTION

