

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

TUESDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

**THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA
WRIT PETITION NO: 4878 OF 2023**

Between:

P K Raju, S/o Raja Rao aged 34 years, Occ. Conductor, E753136, Maddelapalem City Depot, APSRTC, R/o. D.No. 18-21/9, Purna Market, Visakhapatnam, Visakhapatnam District

...Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Transport, Roads and Buildings Department, Secretariat, Velagapudi, Guntur District - 522 503
2. The Andhra Pradesh Road Transport Corporation, Rep by its Vice Chairman and Managing Director, Pandit Nehru Bus Station, Vijayawada, N.T.R. District.
3. The Depot Manager, APSRTC, Maddilapalem, Visakhapatnam District.
4. The Depot Manager, APSRTC, Paderu, Alluriseetharamaraju 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 a writ, order or more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in transferring the petitioner vide proceeding in A.P.S.R.T.C. No.P1/255/11/2023-MDP dated. 16.02.2023 from Maddelapalem depot to Paderu depot is illegal, arbitrary without competency and jurisdiction, in the middle of academic year basing on corn complaints violative of principles of natural justice and contrary to the Andhra Pradesh Transport Operations Sub-Ordinate Services Rules, 2021, issued vide G.O.Ms.No. 21, Transport, Roads and Buildings (TR.II) Department, dt. 24.05.2021 and also violation of Articles 14 and 21 of the constitution of India and sei aside the same and consequently direct the respondents to continue the petitioner as conductor in Maddilapalem depot,

IA NO: 1 OF 2023

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the orders of transfer issued by the 3rd respondent vide proceedings in A.P.S.R.T.C. No.P1/255/11/2023-MDP dated. 16.02.2023 from Maddelapalem depot to Paderu depot and continue the petitioner as conductor in Maddelapalem depot, Pending disposal of WP 4878 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 PAMARTHI KAMESWARA RAO Advocate for the Petitioner, GP FOR TRANSPORT, ROADS & BUILDINGS DEPARTMENT for the Respondent Nos. 1 & 2, SRI P.VINODH KUMAR, Standing Counsel for the Respondent Nos.3, 4, & 5, The Court made the following.

ORDER:

Heard learned counsel for the petitioner and learned standing counsel for APSRTC.

However, considering the submissions made by learned counsel for the petitioner and perusing the orders dated 29.10.2021 in W.P.No.23680 of 2021, wherein this Court has considered the similar issues, there shall be an interim suspension of the impugned proceedings of the 4th respondent vide proceedings No.P1/255/11/2023-MDP, dated 16.02.2023, for a period of six (06) weeks.

List the matter after four (04) weeks.

In the meanwhile, learned standing counsel is directed to file counter.

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

For /

SECTION OFFICER

To,

1. The Principal Secretary, Transport, Roads and Buildings Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District - 522 503
2. The Vice Chairman and Managing Director, Andhra Pradesh Road Transport Corporation, Pandit Nehru Bus Station, Vijayawada, N.T.R. District.
3. The Depot Manager, APSRTC, Maddilapalem, Visakhapatnam District.
4. The Depot Manager, APSRTC, Paderu, Alluriseetharamaraju District.
(Addressees 1 to 4 by RPAD)
5. One CC to SRI PAMARTHI KAMESWARA RAO Advocate [OPUC]
6. One CC to SRI P.VINODH KUMAR, Standing Counsel [OPUC]
7. Two CCs to GP FOR TRANSPORT, ROADS AND BUILDINGS DEPARTMENT, High Court of Andhra Pradesh. [OUT]
8. One spare copy

PSR

HIGH COURT

NV,J

DATED:28/02/2023

NOTE: LIST THE MATTER AFTER FOUR (4) WEEKS

ORDER

WP.No.4878 of 2023

INTERIM SUSPENSION

