

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
WEDNESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY ✓
WRIT PETITION NOS: 21902, 21310, 21469 AND 27351 OF 2022 ✓

WRIT PETITION NO: 21902 OF 2022

Between:

Bhimalla Suma, W/o. Srinivas.

Petitioner

AND

1. The Telangana State Road Transport Corporation, Rep. by its Managing Director, Bus Bhavan, Musheerabad, T.S.
2. The Regional Manager, TSRTC, Nalgonda Region, Nalgonda District, T.S.
3. The Depot Manager, Yadagirigutta Bus Depot, Yadadri-Bhongir

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 or order or direction more particularly one in the nature of writ of mandamus declaring that the action of the 3rd respondent in recovering of Rs.2,02,000/- for each petitioner buses bearing Nos. TS 30T 8283 and TS 30T 8281 on the ground of producing the buses with delay before respondent authority is bad, arbitrary and illegal and against to principles of natural justice by setting aside the office orders dt.8-10-2021 of the 3rd respondent herein including circular dt.17-12-2019 of the 1st respondent herein and direct the respondents to repay the recovered amounts to the petitioner in concerned with the above two buses related to the above office orders.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI P VENKATESWAR RAO Advocate for the Petitioner, A RAVI BABU, Advocate for the Respondent nos. 1 to 3.

WRIT PETITION NO: 21310 OF 2022

Between:

Potta Bikshapathi, S/o. Kattaiah.

Petitioner

AND

1. The Telangana State Road Transport Corporation, Rep. by its Managing Director, Bus Bhavan, Musheerabad, T.S.
2. The Regional Manager, TSRTC, Nalgonda Region, Nalgonda District, T.S.
3. The Depot Manager, Yadagirigutta Bus Depot, Yadadri-Bhongir District (earlier Nalgonda), T.S.

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 or order or direction more particularly one in the nature of writ of mandamus declaring that the action of the 3rd respondent in recovering of Rs.2,02,000/- for petitioner bus bearing No. TS 30T 8749 on the ground of producing the bus with delay before respondent authority is bad, arbitrary and illegal and against to principles of natural justice by setting aside the office order dt.8-10-2021 of the 3rd respondent herein including circular dt.17-12-2019 of the 1st respondent herein and direct the respondents to repay the recovered amounts to the petitioner in concerned with the above said bus related to the above office order.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI P VENKATESWAR RAO Advocate for the Petitioner, SRI A RAVI BABU, Advocate for the Respondents.

WRIT PETITION NO: 21469 OF 2022

Between:

Chiragoni Shankaraiah, S/o. Maraiah.

Petitioner

AND

1. The Telangana State Road Transport Corporation, Rep. by its Managing Director, Bus Bhavan, Musheerabad, T.S.
2. The Regional Manager, TSRTC, Nalgonda Region, Nalgonda District, T.S.
3. The Personal Officer, TSRTC, Nalgonda Region, Nalgonda District, T.S.
4. The Depot Manager, TSRTC, Yadagirigutta Bus Depot, Yadadri-Bhongir District (earlier Nalgonda), T.S.

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 or order or direction more particularly one in the nature of writ of mandamus declaring that the action of the 3rd respondent in recovering of Rs.1,76,000/- for petitioner bus bearing No. TS 30T 9249(Exp) on the ground of producing the bus with delay before respondent authority is bad, arbitrary and illegal and against to principles of natural justice by setting aside the letter dt.28-9- 2021 of the 3rd respondent herein including circular dt.17-12-2019 of the 1st respondent herein and direct the respondents to repay the recovered amounts to the petitioner in concerned with the above said bus related to the above letter dt.28-9-2021.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI P VENKATESWAR RAO Advocate for the Petitioner, SRI A RAVI BABU, Advocate for the Respondents.

WRIT PETITION NO: 27351 OF 2022

Between:

1. Bakaraju Chandra Sekhar, S/o. Rama Rao.
2. M/s Sunitha Enterprises, Rep by its Proprietor, P. Sunitha W/o Pantangi Sateesh, Aged about 35 Years, Occ Hire Bus Owner, Bus No. TSO9UC 9942 and TS 09 UC 9943 R/o. H No. 3-6-521/1, Ghoronda, Surya Uday Apartments, 2nd Floor, Himayathnagar, Hyderabad
3. M/s Nasu Enterprises, Rep by its Proprietor, Nasu Alivela D/o Niranjan, Aged about 48 Years Occ Hire Bus Owner, Bus No. TS 09 UC 9049 R/o. H No. 3-6-131/5, Himayathnagar, Hyderabad

4. Gagiri Harikrishna, S/o Parshu Ramulu.
5. Bathula Shekar, S/o Bathula Kishan.
6. Thotakuri Raju, S/o Thotakuri Yellaiah.

Petitioners

AND

1. The Telangana State Road Transport Corporation, Rep by its Vice Chairman and Managing Director, T.S.R.T.C., Musheerabad, Hyderabad.
2. The Regional Manager, Karimnagar Region, T.S.R.T.C., Karimnagar District.
3. The Regional Manager, Adilabad Region, T.S.R.T.C., Adilabad District.
4. The Regional Manager, Warangal Region, T.S.R.T.C., Warangal District.
5. The Executive Director, Karimnagar Zone, T.S.R.T.C., Karimnagar 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 an appropriate writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring that the proceedings imposing penalties by impugned proceedings i) No. AMP/5 (1)/ 21-RM -KR Dated 22.02.2021 ii) No. E4/5 (September)/21-RM dated 04.09.2021 iii) No. T1/359 (108) 2019-RM-WL dated 12.03.2021 as illegal, arbitrary in violation of principles of natural justice fair play and in violation of Art14,19 (1) (g), 21 300- A of the Constitution of India consequently refund the amounts paid by the petitioners towards penalties as per the impugned orders respectively.

IA NO: 1 OF 2022

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 direct the respondents herein to refund amounts paid by the petitioners towards penalties as per the impugned orders respectively, forthwith, Pending disposal of WP 27351 of 2022, 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 P SRIDHAR RAO Advocate for the Petitioner), SRI A RAVI BABU, Advocate for the Respondent nos. 1 to 5, SRI B. MAYURI REDDY, Advocate for the respondent no.4, the Court made the following.

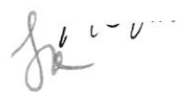
ORDER

As the learned Standing Counsel for TSRTC submits that Review Petition is filed for review of the orders dt. 21.12.2020 passed in W.P.No. 21609/2020, post the matters on 20.07.2022. In the meanwhile, the learned standing counsel shall take steps to get the Review petition be heard and disposed of.

Until further orders, the balance amount shall not be recovered from the petitioners.

**SD/- T. KRISHNA KUMAR
DEPUTY REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Managing Director, The Telangana State Road Transport Corporation, Bus Bhavan, Musheerabad, T.S.(by RPAD)
2. The Regional Manager, TSRTC, Nalgonda Region, Nalgonda District, T.S.(by RPAD)
3. The Depot Manager, Yadagirigutta Bus Depot, Yadadri-Bhongir.(by RPAD)
4. The Regional Manager, Karimnagar Region, T.S.R.T.C., Karimnagar District.(by RPAD)
5. The Regional Manager, Adilabad Region, T.S.R.T.C., Adilabad District.(by RPAD)
6. The Regional Manager, Warangal Region, T.S.R.T.C., Warangal District.(by RPAD)
7. The Executive Director, Karimnagar Zone, T.S.R.T.C., Karimnagar District.(by RPAD)
8. The Personal Officer, TSRTC, Nalgonda Region, Nalgonda District, T.S.(by RPAD)
9. One CC to SRI. P VENKATESWAR RAO Advocate [OPUC]
10. One spare copy

HIGH COURT

BVRJ

DATED:06/07/2022

POST THE MATTERS ON 20.07.2022.

ORDER

WP.No.21902, 21310, 21469 AND 27351 OF 2022

