



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3208]

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 490/2026

Between:

1. K V N V PRASAD, , S/O K.SESHAGIRI RAO (LATE), AGED 45 YEARS. JUNIOR ASSISTANT, O/O THE DEPUTY TRANSPORT COMMISSIONER, KAKINADA, R/O D.NO.2-13, SRINIVASA NAGAR, OPP. SUNFIT Q GIM, INDRAPALEM, KAKINADA RURAL MANDAL, KAKINADA DISTRICT

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, TRANSPORT, ROADS AND BUILDINGS DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI. - 522 237

2. THE TRANSPORT COMMISSIONER, GOVERNMENT OF ANDHRA PRADESH, VIJAYAWADA, KRISHNA DISTRICT. - 520001

3. THE DEPUTY TRANSPORT COMMISSIONER, KAKINADA, KAKINADA DISTRICT. - 533001

...RESPONDENT(S):

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 the action of the respondents in not considering the case of the petitioner for promotion to the post of Assistant Motor Vehicle Inspector as Illegal, Arbitrary, and

violative of Articles 14, 16 and 21 of the Constitution of India and consequently direct the respondents to consider the case of the petitioner for promotion to the post of Assistant Motor Vehicle Inspector under the quota of 10 percent prescribed in clause iv and V of Rule 3 of the Andhra Pradesh Transport Subordinate Services and pass

IA NO: 1 OF 2026

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 to consider the case of the petitioner for promotion to the post of Assistant Motor Vehicle Inspector under clause iv & v of Rule 3 of the Andhra Pradesh Transport Subordinate Services, pending disposal of this writ petition and pass

Counsel for the Petitioner:

1. MANOJ KUMAR BETHAPUDI

Counsel for the Respondent(S):

1. GP FOR SERVICES II

The Court made the following ORDER:

1. This Writ Petition is filed seeking to declare the action of the respondents in not considering the case of the petitioner for promotion to the post of Assistant Motor Vehicle Inspector as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

3. The learned counsel for the petitioner submits that, as per Rule 3 of the Andhra Pradesh Transport Subordinate Service Rules issued vide G.O.Ms. No. 71, dated 19.02.2009 (Special Rules), the post of Assistant Motor Vehicle Inspector is to be filled by the following methods:

(i) Direct recruitment; (ii) By promotion from Transport Head Constables; (iii) If no eligible Transport Head Constables are available, by promotion from Transport Constables; (iv) By appointment by transfer from the category of Senior Assistants of the Transport Department; (v) If no eligible Senior Assistants are available, by appointment by transfer from Junior Assistants. Out of the total vacancies, 80% are to be filled by direct recruitment and 10% by the methods specified in items (ii), (iii), (iv), and (v).

4. It is further submitted that, as per the prescribed qualifications, a candidate must possess a Degree in Mechanical Engineering or Automobile Engineering from a University in India established or incorporated by or under a Central Act, Provincial Act, or State Act, or from

an institution recognized by the University Grants Commission, or any equivalent qualification. The petitioner, who is presently working as a Junior Assistant, possesses a Diploma in Automobile Engineering obtained through distance education from Janardan Rai Nagar Rajasthan Vidyapeeth, Udaipur, Rajasthan, in the year 2018.

5. The learned counsel further submits that, in identical situations, the Government has considered diplomas issued by various institutions and universities vide G.O.Rt. No. 1379, dated 24.12.2018. However, in the said G.O., the institution of Janardan Rai Nagar Rajasthan Vidyapeeth was not considered. Subsequently, the Commissioner forwarded a note to the Government on 12.07.2021 stating that G.O.Rt. No. 1379 deals with equivalency issues and declared that the said institution is not recognized.

6. On perusal of G.O.Rt. No. 1379, dated 24.12.2018, it is seen that the Government considered candidates possessing qualifications from institutions such as Jawaharlal Nehru Technological University, Hyderabad; University of Madras, Chennai; State Board of Technical Education and Training, Andhra Pradesh; Department of Technical Education, Government of Karnataka; Institute of Advanced Studies in Education (IASE), Deemed University, Rajasthan; and other institutions. The Government also examined cases involving certificates issued by institutions such as Vinayaka Mission Research Foundation (VMRF), Salem, Tamil Nadu, Bharatiya Shiksha Parishad, Lucknow, Uttar Pradesh,

and others, including certain cases where the recognition of the institutions was under scrutiny. Hence, it is contended that the petitioner is eligible and entitled to be considered for promotion under the 10% quota to the post of Assistant Motor Vehicle Inspector. However, for reasons best known to the respondents, his case has not been considered, thereby affecting his chances of promotion.

7. Considering the averments, this Court passed an interim order dated 07.01.2026 as follows:

“Considering the submissions, there shall be an interim direction to the respondents to consider the case of the petitioner for promotion to the post of Assistant Motor Vehicle Inspector by appointment by transfer from the category of Junior Assistant, in terms of the Andhra Pradesh Transport Subordinate Service Rules, subject to eligibility and seniority, pending further orders.”

8. After receipt of notice, the 2nd respondent filed a counter affidavit stating that, in compliance with the orders of this Court dated 07.01.2026, a letter dated 04.02.2026 was addressed to the Vice-Chancellor, Janardan Rai Nagar Rajasthan Vidyapeeth, Pratapnagar, Udaipur, requesting confirmation of the genuineness of the provisional certificate for the Diploma in Engineering (Distance Mode) furnished by the petitioner. It is stated that the respondents are awaiting a report from the concerned University, and upon receipt of the same, the case of the petitioner will be considered in accordance with his eligibility and entitlement under the rules.

9. Considering the above, the writ petition is disposed of, directing the respondents to consider the case of the petitioner for promotion to the post of Assistant Motor Vehicle Inspector, in accordance with the rules, immediately upon receipt of the report from the concerned University, and to take appropriate action. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in the writ petition shall stand closed.

JUSTICE D RAMESH

22.04.2026

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THE HONOURABLE SRI JUSTICE D RAMESH

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