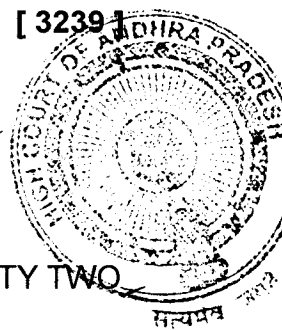


[3239]

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI
(Special Original Jurisdiction)



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

:PRESENT:

THE HONOURABLE SRI JUSTICE K SURESH REDDY ✓

WRIT PETITION NO: 3043 OF 2022 ✓

Between:

1. B KUMAR, S/o B. Venkateswarlu, Age. 37 Years, Occ. Lab Technician, Government General Hospital, Kurnool.
2. B.V. Sivakumar, S/o B.V. Narayana, Age. 39 Years, Occ. Lab Technician, Government General Hospital, Kurnool.
3. A. Mahesh, D/o A. Srinivasulu, Age. 43 years, Occ. Lab Technician, Government General Hospital, Kurnool.
4. S. Abdullah, S/o Abdul Suboor, Age. 39 Years, Occ. Lab Technician, Government General Hospital, Kurnool.
5. S. Gulshan, D/o S. Nazeer Ahmed, Age. 41 years, Occ. Lab Technician, Government General Hospital, Kurnool.
6. R.S. Hemalatha, D/o R.S. Samuel, Age. 40 Years, Occ. Lab Technician, Government General Hospital, Kurnool.
7. V. Venkateswarlu, S/o V. Balaswami, Aged. 48 Years, Occ. Radiographer, Government General Hospital, Kurnool.
8. R. Prasadamma, D/o R. Sunkanna, Age. 46 Years, Occ. A.N.M. Government General Hospital, Kurnool.
9. P.F.F. Rajani, W/o Late Sundarl Raju Age. 46 Years, Occ. A.N.M. Government General Hospital, Kurnool.
10. Naazeer Noor, S/o Noor Ahmed, Age. 46 Years, Occ. Data Entry Operator, Government General Hospital, Kurnool.

Petitioners ✓

AND

1. The State of Andhra Pradesh, Rep. by it's Principal Secretary, Medical and Health Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Director of Medical Education, Old General Hospital, Hanumanpet, Vijayawada - 520003.
3. The Hospital Development Society, Rep. by Chairman - cum - District Collector, Kurnool District, Kurnool.
4. The Superintendent, Govt. General Hospital, Kurnool.
5. Zen Security and Outsourcing Multiple, Man Power Recruiting Services, Rep. by its Manager, Zonal Office at D.No.45, Center Plaza, 'B' Camp-post, Kurnool- 518002.
6. Jana Saadhikar Society, Rep. by its President, Registered Office at D.No.LIG-II- 104, Housing Board Colony, B-Camp, Kurnool - 518002

Respondents ✓

WHEREAS the Petitioners above named through their Advocate Sri.G.Jagadeeswar presented this 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 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 Respondent No.4, so far as the petitioners are concerned in issuing notification vide RC.No.2863/G1JGGH.KNL/2021, dated 30.11.2021 inviting applications for the recruitment of sanctioned posts and newly created additional posts of Paramedical posts on contract/out sourcing basis (APCOS) to work at Government General Hospital, ✓

Kurnool under the administrative control of the Director of Medical Education A.P, Vijayawada and proceeding to terminate the services of the petitioners who have been appointed in the years 2002 to 2004 and continuing on contract/out sourcing basis, without following any due process of Law is arbitrary, illegal, irregular, unconstitutional and against the principles of natural justice, consequently directing the respondents to continue the petitioners in their respective services in Government General Hospital, Kurnool by regularising their services;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri.G.Jagadeeswar Advocate for the Petitioner, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted. ✓

You viz:

1. The Principal Secretary, Medical and Health Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Director of Medical Education, Old General Hospital, Hanumanpet, Vijayawada - 520003.
3. The Chairman - cum - District Collector, Hospital Development Society, Kurnool District, Kurnool.
4. The Superintendent, Govt. General Hospital, Kurnool.
5. The Manager, Zen Security and Outsourcing Multiple, Man Power Recruiting Services, Zonal Office at D.No.45, Center Plaza, 'B' Camp-post, Kurnool- 518002.
6. The President, Jana Saadhikar Society, Registered Office at D.No.LIG-II-104, Housing Board Colony, B-Camp, Kurnool - 518002 ✓

are directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before 28.02.2022, on which date the case stands posted for hearing. ✓

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 to continue the services of the petitioners in their respective posts in Government General Hospital, Kurnool, pending disposal of W.P.No.3043 of 2022, on the file of the High Court. ✓

THE COURT MADE THE FOLLOWING ORDER:

(Proceedings taken through Video Conference)

Notice before admission.

The learned G.P for Services IV takes notice for the respondent Nos.1 to 4. Notice to the respondent Nos.5 and 6. The learned counsel for the petitioners is permitted to take out personal notices to the respondent Nos.5 and 6 by registered post with acknowledgment due and to file proof of service into Registry by 28-02-2022.

Considering the submission made by the learned counsel for the petitioners that in similar circumstances, interim orders were granted in W.P.No.29880 of 2021, dated 27-12-2021, there shall be a direction to the

respondents to process the applications of the petitioners 1 to 6 for the post of Lab Technician Gr.II without reference to their age, before finalizing the merit list pursuant to the Notification, dated 30-11-2021.

Post on 28-02-2022. ✓

//TRUE COPY//

AS

For AS:

M.RAMESH BABU
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Medical and Health Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Director of Medical Education, Old General Hospital, Hanumanpet, Vijayawada - 520003.
3. The Chairman - cum - District Collector, Hospital Development Society, Kurnool District, Kurnool.
4. The Superintendent, Govt. General Hospital, Kurnool.
5. The Manager, Zen Security and Outsourcing Multiple, Man Power Recruiting Services, Zonal Office at D.No.45, Center Plaza, 'B' Camp-post, Kurnool- 518002.
6. The President, Jana Saadhikar Society, Registered Office at D.No.LIG-II-104, Housing Board Colony, B-Camp, Kurnool - 518002 (by RPAD- along with a copy of petition and memorandum of grounds) ✓
7. One CC to SRI.G.JAGADEESWAR Advocate [OPUC] ✓
8. Two CCs to GP for Services IV, High Court Of Andhra Pradesh. [OUT] ✓
9. One spare copy

SRL

HIGH COURT

KSRJ

DATED:08/02/2022

NOTE: POST ON 28.02.2022

NOTICE BEFORE ADMISSION

WP.No.3043 of 2022

DIRECTION

