



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

[3208]

FRIDAY, THE THIRTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 4171/2026

Between:

1.V. MALYADRI, S/O. MALAKONDAIAH, AGED ABOUT 37 YEARS,
WORKING AS SHIFT OPERATOR IN KOTHAPALLI 33/11 SUB
STATION, APCPDCL KOTHAPALLI, GIDDALUR, PRAKASAM
DISTRICT R/O. THIMMAPURAM (V AND P), GIDDALUR (M),
PRAKASAM (MARKAPUR) DISTRICT.

...PETITIONER

AND

- 1.THE ANDHRA PRADESH CENTRAL POWER DISTRIBUTION
COMPANY LIMITED APCPDCL, REP. BY ITS CHAIRMAN AND
MD/CMD, CORPORATE OFFICE BESIDE POLYTECHNIC COLLEGE,
ITI ROAD, VIJAYAWADA - 520008.
- 2.THE SUPERINTENDING ENGINEER, APCPDCL, VIDYUT BHAVAN,
ONGOLE, CIRCLE OFFICE, RAM NAGAR, ANNAVARAPUDU
COLONY, ONGOLE - 523 001.
- 3.THE EXECUTIVE ENGINEER, OPERATION, APCPDCL, MARKAPUR
DIVISION, TARLAPADU ROAD, GANDHI BAZAR, MARKAPUR,
PRAKASAM (MARKAPUR) DISTRICT - 523 316.
- 4.THE DIVISIONAL ENGINEER, OPERATION, APCPDCL, GANESH
NAGAR, GIDDALUR, PRAKASAM (MARKAPUR) DISTRICT - 523 357.
- 5.THE ASSISTANT DIVISIONAL ENGINEER, APCPDCL, KOTHAPALLI

33/11 KV SUB-STATION, KOTHAPALLI, GIDDALUR, PRAKASAM
(MARKAPUR) DISTRICT.

...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 any writ or order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not allowing the petitioner in performing his duties as Shift Operator at Kothapalli Sub-Station, Kothapalli, Giddalur Sub-Division, Markapur Circle without assailing any reasons, issuing notice and affording an opportunity of hearing to him as illegal and arbitrary and consequently direct the respondents to continue the petitioner in service in the interest of justice 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 continue the petitioner in performing his duties as Shift Operator at Kothapalli Sub-Station, Kothapalli, Giddalur Sub-Division, Markapur Circle and pay his salary pending the Writ Petition, and pass

Counsel for the Petitioner:

1.DHARANI KUMAR B

Counsel for the Respondent(S):

1.

2.V V SATISH

THE HONOURABLE SRI JUSTICE D RAMESH

Order:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following prayer;

“....to issue any writ or order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not allowing the petitioner in performing his duties as Shift Operator at Kothapalli Sub-Station, Kothapalli, Giddalur Sub-Division, Markapur Circle without assailing any reasons, issuing notice and affording an opportunity of hearing to him as illegal and arbitrary and consequently direct the respondents to continue the petitioner in service in the interest of justice and pass.”

2. The case of the petitioner herein is that petitioner has been working as Shift Operator, Kothapalli Sub-station, APCPDCL, Kothapalli 33/1 sub-station, Kothapalli, Giddalur, Prakasam (Markapur) District on contract basis and has been continuing in service irrespective of lapse of time of contract. From 23.07.2025, the 5th respondent herein i.e., the Assistant Divisional Engineer, APCPDCL, Kothapalli 33/11 KV sub-station, Kothapalli, Giddalur, Prakasam District, does not allowing the petitioner to continue in service. Neither an intimation has been made nor a legal notice has been issued to the petitioner in termination of his services. Hence, the petitioner made a representation to the higher authorities and also issued legal notice dated 02.01.2026 to respondent Nos.1 to 4 to direct the respondent No.5 for continuation of

services of the petitioner. Though notice has been received by Respondent Nos. 1 to 4, no reply has been received from them. Hence, the Writ Petition.

3. Today, when the matter is taken up for hearing, it is submitted by the learned Standing Counsel for respondent Nos.1 to 5, that the subject matter of this Writ Petition is squarely covered by the common order passed by the Hon'ble Division Bench of this Court in Writ Appeal No.310 of 2024 and batch, dated 13.08.2024.

4. Following the said common order passed by the Hon'ble Division Bench of this Court in Writ Appeal No.310 of 2024 and batch, dated 13.08.2024, and for the reasons mentioned therein, this Writ Petition is dismissed as the relief sought for under Article 226 of Constitution of India is not the appropriate remedy to be approached directly in such matters seeking regularization, and particularly, when the Labour Court / Industrial Tribunal have got the jurisdiction to consider such aspect and on the determination of the relevant factual aspects based on material they have jurisdiction to pass appropriate orders for regularization.

5. In view of the same, the Writ Petition is dismissed. The Writ Petitioner, if so advised, may have their remedies before appropriate forum. No order as to costs.

As a sequel thereto, the miscellaneous applications, if any, pending in this Writ Petition shall stand closed.

JUSTICE D.RAMESH

Date: 13.02.2026

Note:

Office to attach copy of common order in Writ Appeal No.310 of 2024 and batch dated 13.08.2024, to this order.

(B/O)

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131

THE HONOURABLE SRI JUSTICE D.RAMESH

Writ Petition No.4171 of 2026

Dated: 13.02.2026

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