

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

TUESDAY, THE ELEVENTH DAY OF MARCH,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN

WRIT PETITION NO: 6075 OF 2025



Between:

Dadi Eswara Rao, S/o.Apparao, Aged about 60 years, Occ Working as Principal, at Mahatma Jyothiba Phule Andhra Pradesh Backward Class Welfare Residential School, Palakollu, West Godavari District

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Special Chief Secretary, Department of Finance (HR IV-FR & LR) Velagapudi, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, B.C. Welfare Department, Velagapudi, Amaravathi, Guntur District.
3. Mahatma Jyothiba Phule Andhra Pradesh Backward Class Welfare Residential Institution Society, Vijayawada, Krishna District, Rep. by its Secretary

...Respondents

WHEREAS the Petitioner above named through his Advocate Sri S.LAKSHMINARAYANA REDDY 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 to issue Writ, or order or direction more particularly one in the Writ of Mandamus to declaring the action of the respondents in not paying the monthly salary to

the petitioner from November, 2024 to till date having availed his services as principal in Mahatma Jyothiba Phule Andhra Pradesh Backward Class Welfare Residential School, Palakollu, West Godavari District , which is under the control of 3rd respondent inspite of written representations dt. 30.01.2025 is as illegal, arbitrary violative of Article 21 and 300-A of Constitution of India and consequently direct the respondents to pay the monthly salaries to the petitioner from November, 2024 to till date and continue to pay the same till the petitioner attain the age of superannuation i.e., 62 years without any break with all consequential benefits including regular pay allowances pursuant to the written representation dt. 30.01.2025;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri S.Lakshminarayana Reddy, Advocate for the Petitioner and GP for Finance for the Respondent No.1 and GP for BC Welfare for the Respondent No.2, directed issue of notice to the Respondent No.3 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Special Chief Secretary, State of Andhra Pradesh, Department of Finance (HR IV-FR & LR) Velagapudi, Amaravathi, Guntur District.
2. The Principal Secretary, State of Andhra Pradesh, B.C. Welfare Department, Velagapudi, Amaravathi, Guntur District.
3. The Secretary, Mahatma Jyothiba Phule Andhra Pradesh Backward Class Welfare Residential Institution Society, Vijayawada, Krishna District.

are be and hereby 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 within four (04) weeks for which date the case stands posted for hearing;

IA NO: 1 OF 2025:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents to pay the monthly salaries to the petitioner from November, 2024 to till date and continue to pay the same till the petitioner attain the age of superannuation i.e., 62 years without any break with all consequential benefits including regular pay allowances pursuant to the written representation dt. 30.01.2025, pending disposal of WP No.6075 of 2025, on the file of the High Court.

The Court made the following:

ORDER:

“Notice before admission.

Learned Government Pleader for Finance takes notice for respondent No.1 and Learned Government Pleader for B.C.Welfare takes notice for respondent Nos.2.

Issue notice to 3rd respondent.

Learned counsel for the petitioner is permitted to take out personal notice on respondent No.3 through Registered Post with Acknowledgment Due and file proof of service in the Registry.

Petitioner has been working as principal at Mahatma Jyothiba Phule Andhra Pradesh Backward Class Welfare Residential School at Palakallu, West Godavari District in pursuance of the interim orders passed by this Court in W.P.No.26707 of 2024. However, his grievance is that though he is discharging the functions of principal since November 2024, till date he was not paid montly salaries.

Learned counsel for the petitioner had placed reliance on the order passed in Ram Chet Verma & Another vs. The State of Uttar

Pradesh and others, wherein the Apex Court directed the respondents therein to pay salaries to all the appellants as they were continued to discharge their functions in terms of the interim orders passed. Further, reference is also made to common order passed in W.P.No.15521 of 2024 and batch dated 24.7.2024, whereby a Co-ordinate Bench of this Court directed the respondents to credit salary/remuneration to the petitioners. As the case of the petitioner in the present case is similar, learned counsel prays to extend the same relief.

The petitioner has also made representation dated 30.01.2025 to the respondents requesting to release the salaries as he has been functioning as principal in terms of the interim directions granted by this Court and the same is stated to be pending consideration.

There shall be interim direction to respondents to consider representation dated 30.1.2025 with reference to the judgment of Apex Court in Ram Chet Verma & Another vs. The State of Uttar Pradesh and others and the common order passed in W.P.No.15521 of 2024 and batch dated 24.7.2024 and pass appropriate orders within a period of four (04) weeks in accordance with law.

Post the matter after four (04) weeks.”

//TRUE COPY//

Sd/- K.Tata Rao
DEPUTY REGISTRAR


SECTION OFFICER

To,

1. The Special Chief Secretary, State of Andhra Pradesh, Department of Finance (HR IV-FR & LR) Velagapudi, Amaravathi, Guntur District.

2. The Principal Secretary, State of Andhra Pradesh, B.C. Welfare Department, Velagapudi, Amaravathi, Guntur District.
3. The Secretary, Mahatma Jyothiba Phule Andhra Pradesh Backward Class Welfare Residential Institution Society, Vijayawada, Krishna District. (by RPAD- along with a copy of petition and memorandum of grounds)
4. One CC to Sri. S.Lakshminarayana Reddy, Advocate [OPUC]
5. Two CCs to GP for Finance, High Court of Andhra Pradesh. [OUT]
6. Two CCs to GP for BC Welfare, High Court of AP [OUT]
7. One spare copy

MM



HIGH COURT

CGR,J

DATED:11/03/2025

POST THE MATTER AFTER FOUR (04) WEEKS

NOTICE BEFORE ADMISSION

WP.No.6075 of 2025

INTERIM DIRECTION

