

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

FRIDAY, THE TWENTY NINTH DAY OF MAY
TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY



Between:

G.Gangadharaiah, S/o Pedda Ramaiah,

WRIT PETITION NO: 7973 OF 2020

AND

Petitioner

1. The State Andhra Pradesh, rep. by its Principal Secretary, Higher Education Department, Secretariat, Velagapudi, Amaravathi
2. Sri Krishnadevaraya University,, Rep. by Registrar Ananthapuramu, Ananthapuramu District.

Respondents

WHEREAS the Petitioner above named through his Advocate Sri M. Srikanth 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 a Writ, Order or direction particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in seeking to retire the Petitioner at the age of 60 years and further not treating the Petitioner as regular teaching staff as illegal and contrary to the judgment of this Hon'ble Court and further declare that the Petitioner is entitled to retire at the age of 62 years as per G.O.Ms.No. 59, Higher Education (UE) Department, dt. 24.12.2014 by setting aside the Memo No. SKU/NT.Estt/E1(2)/2020, dt. 10.03.2020 issued by the 2nd Respondent.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri M. Srikanth 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, Higher Education Department, State Andhra Pradesh Secretariat, Velagapudi, Amaravathi
2. The Registrar, Sri Krishnadevaraya University, Ananthapuramu, Ananthapuramu District

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 affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before 19-06-2020 on which date the case stands posted for hearing

IA NO: 1 OF 2020

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 stay the Memo No. SKU/NT.Estt/E1(2)/2020, dt. 10.03.2020 issued by the 2nd Respondent and continue the Petitioner till the attaining the age of 62 years, pending disposal WP No. 7973 of 2020, on the file of the High Court.

The Court made the following: ORDER:

Notice before admission.

For filing counter, post after vacation.

In the meanwhile, the petitioner may be permitted to discharge his duties, however, Salary shall not be paid. In the event of petitioner succeeds the petition, he is entitled to claim his Salary and other benefits, since the matter is proposed to be placed before Executive Council of the University as directed in the last para of G.O.Ms.NO.59, dated 24.12.2014.

In case, the Executive Council takes any decision to extend the age of Superannuation to the petitioner, the respondent shall pay the Salary from the date of proposed retirement.

SD/- K. TATA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Principal Secretary, Higher Education Department, State Andhra Pradesh Secretariat, Velagapudi, Amaravathi
2. The Registrar, Sri Krishnadevaraya University, Ananthapuramu, Ananthapuramu District (1 & 2 by RPAD- along with a copy of petition and affidavit)
3. One CC to sri M. Srikanth. Advocate [OPUC]
4. Two CCs to GP for Higher Education, High Court of Andhra Pradesh. [OUT]
5. One spare copy

TVR

HIGH COURT

MSMJ

DATED:29/05/2020

NOTICE BEFORE ADMISSION

WP.No.7973 of 2020

