

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

FRIDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 7269 OF 2025



Between:

G Dasaradha Ramaaiah, S/o Pullaiah, Aged about 68 Years, Licensee of Stall No.DA-4, Car, Scooter stand and shopping complex, PNBS, Vijayawada, R/o- 21-10/7-11 SRWA516, Srinagar Colony 5th Lane, Near Government Press, Muthyalampadu, Vijayawada(urban), Satyanarayanapuram, NTR District, Andhra Pradesh-520011

...Petitioner

AND

1. The State of Andhra Pradesh, Rep.by its Principal Secretary, Transport Department, A.P. Secretariat Velagapudi, Amaravati, Guntur District
2. The Andhra Pradesh State Road Transport Corporation, Rep. by its VC and Managing Director, PNBS, RTC House, Vijayawada, NTR District.
3. The District Public Transport Officer/ Regional Manager, APSRTC, PNBS, RTC House, Vijayawada, NTR District.
4. The Deputy Chief Traffic Manager, APSRTC, PNBS, Vijayawada, NTR District, Previously Deputy Chief Traffic Manager (MTM).

...Respondents

WHEREAS the Petitioner above named through his Advocate SRI UMESH CHANDRA P V G 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 more particularly one in the nature of a Writ of Mandamus to declare the action of respondents specifically Respondent No.4 in issuing the tender

notification number P7/797(01)/2025-DPTO/NTR dated 13.03.2025 in relation to Stall.No.DB-01 without considering the representation of the petitioner herein dated 04.02.2025 seeking for extension of license period for a period six months from the date of expiry as illegal, Arbitrary, Whimsical, Capricious and Contrary to the principles of natural justice and consequently direct the Respondents herein to keep in abeyance the tender notification P7/797(01)/2025-DPTO/NTR dated 13.03.2025 in relation to Stall.No.DB-01 for a period of six months.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri UMESH CHANDRA P V G Advocate for the Petitioner, and of GP FOR TRANSPORT DEPARTMENT, for the Respondent No.1, and of SRI S.VENKATESWARLU, Standing Counsel for the Respondent Nos.2 to 4, 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, Transport Department, State of Andhra Pradesh, A.P. Secretariat Velagapudi, Amaravati, Guntur District
2. The VC and Managing Director, Andhra Pradesh State Road Transport Corporation, PNBS, RTC House, Vijayawada, NTR District.
3. The District Public Transport Officer/ Regional Manager, APSRTC, PNBS, RTC House, Vijayawada, NTR District.
4. The Deputy Chief Traffic Manager, APSRTC, PNBS, Vijayawada, NTR District, Previously Deputy Chief Traffic Manager (MTM).

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, on or before 04.04.2025, to which date the case stands posted for hearing.

IA NO: 1 OF 2025

Petition under Section 151 of CPC is filed 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 specifically Respondent No.4 to consider the representation given by the Petitioner herein dated 04-02-2025 and continue the Petitioner in the existing premises for a period of six months with Stall No DA-4 as per earlier tender notification dated 08-02-2008 by keeping in abeyance the present tender notification P7/797(01)/2025-DPTO/NTR dated 13.03.2025 for the allotment of stalls in the premises of Pandit Nehru Bus Station, Vijayawada in relation to stall number earlier DA-4 and now being referred as DB-01 as per the new notification dated.13.03.2025, pending disposal of WP No. 7269 of 2025, on the file of the High Court.

The Court made the following: ORDER

Notice before admission.

Sri S. Venkateswarlu, learned Standing Counsel takes notice on behalf of respondents 2 to 4, offers to file Vakalat and seeks time to file counter affidavit.

The above writ petition is filed challenging the tender notification No.P7/707(01)/2025-DPTO/NTR, dated 13.03.2025 (Ex.P1), in relation to Stall No.DB-01, without considering the representation made by the petitioner dated 04.02.2025, seeking extension of license period, as illegal and arbitrary.

Heard learned counsel appearing on either side.

A Deed of License was entered into between the petitioner and APSTRC represented by its Managing Director on 18.04.2009, in respect of Stall No.DA-4, Space measuring 31700 square feet, beside Kalimatha

Temple at Departure Block of Pandit Nehru Bus Station, Vijayawada, for a period of 10 years i.e. from 23.01.2009 to 22.01.2019. Thereafter, a Supplementary Deed of License was entered into between the petitioner and APSRTC represented by its Managing Director on 02.08.2010 for a period of 5 years i.e. from 29.03.2020 to 28.03.2025 (Ex.P9). The supplementary agreement was reduced into writing on 25.03.2021.

The Personnel Officer, APPTD (APSRTC), issued a tender notification dated 13.03.2025 (Ex.P1) for different items. The 4th item in the tender notification, is 'hotel and dormitory' admeasuring 31.700, for a period of five years. In the notification, it was mentioned that the existing license period will be completing by 28.03.2025.

Learned counsel for the petitioner would submit that the petitioner's representation dated 04.02.2025 (Ex.P2), has not been considered by the authority and issued tender notification impugned.

Learned Standing Counsel, on instructions would submit that the representation made by the petitioner dated 04.02.2025, will be considered as per law.

Whether the petitioner is entitled for extension of time as per the representation or not, will be considered by the appropriate authority as per the Rules invogue.

Given the facts and circumstances of the case, as an interim measure, respondent No.2 shall consider the representation made by the petitioner dated 04.02.2025 (Ex.P2) and pass appropriate orders as per the Rules, before the proposed auction.

List the matter on 04.04.2025.

Sd/- K.TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Transport Department, State of Andhra Pradesh, A.P. Secretariat Velagapudi, Amaravati, Guntur District **(by Special Messenger along with a copy of petition and affidavit)**
2. The VC and Managing Director, Andhra Pradesh State Road Transport Corporation, PNBS, RTC House, Vijayawada, NTR District.
3. The District Public Transport Officer/ Regional Manager, APSRTC, PNBS, RTC House, Vijayawada, NTR District.
4. The Deputy Chief Traffic Manager, APSRTC, PNBS, Vijayawada, NTR District, Previously Deputy Chief Traffic Manager (MTM). **(Addressees 2 to 4 by RPAD- along with a copy of petition and affidavit)**
5. One CC to SRI. UMESH CHANDRA P V G, Advocate [OPUC]
6. Two CCs to GP FOR TRANSPORT, High Court of Andhra Pradesh.
[OUT]
7. One CC to SRI S.VENKATESWARLU, Standing Counsel [OPUC]
8. **One spare copy**

PSR

HIGH COURT

SRS,J

DATED:21/03/2025

NOTE: List the matter on 04.04.2025.

NOTICE BEFORE ADMISSION

WP.No.7269 of 2025

INTERIM DIRECTION

