

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

THURSDAY, THE SEVENTH DAY OF APRIL, TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE DR. JUSTICE K. MANMADHA RAO

WRIT PETITION No. 30255 of 2017

Between:

Dr. K. Venkateswara Prasad, S/o. Venkatanarayana, aged 43 years, Working as Assistant Professor, Department of History and Archaeology, Acharya Nagarjuna University, Guntur.

....Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Higher Education (UE.I) Department, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The State of Andhra Pradesh, Represented by its Principal Secretary, Finance Department, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District.
3. Acharya Nagarjuna University, Represented by its Registrar, Nagarjuna Nagar, Guntur, Guntur District.
4. The University Grants Commission, Represented by its Secretary, Bahadur Shah Zagar Marg, New Delhi-2.

....Respondents

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 in the nature of Mandamus declaring that the appointment of the petitioner to the post of Assistant Professor in History & Archaeology in the 3rd Respondent University is on regular basis for all purposes from the date of appointment i.e.11-8-2010 with regular pay scales duly declaring the orders issued by the Government in G.O.Ms.No.41 Higher Education (UE) Department dated 30-6-2017 in reducing the cadre strength of Assistant Professors to the Department of History & Archaeology and taking steps to fill up the post of Assistant Professor by issuing notification is illegal, arbitrary and violates Article 14,16 and 21 of the Constitution of India.

C.C.No. 2253 of 2017 :-

Between :-

Dr. K. Venkateswara Prasad, S/o. Venkatanarayana.

...Petitioner.

AND

Prof. K. John Paul, Registrar, Acharya Nagarjuna University, Represented by its Registrar, Nagarjuna Nagar, Guntur, Guntur District.

..Respondent.

Whereas the Petitioner has presented this Contempt Case under Sections 10 to 12 of the Contempt of Courts Act, 1971, through his counsel Sri P.V. Ramana, praying the High Court to summon and punish the Respondent Contemnor for willfully violating and disobeying the orders passed by the Hon'ble High Court in W.P.No. 30255 of 2017 dated : 19-9-2017.

These petitions coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and earlier orders of this Hon'ble Court and upon hearing the arguments of Sri P. V. RAMANA Advocate for the Petitioner in both W.P.No. 30255 of 2017 and in CC.NO. 2253 of 2017 and of the Govt. Pleader for Higher Education for respondent Nos. 1 and 2 in W.P.No. 30255 of 2017 and the Court made the following

Contd..2...

ORDER :-

"Sri P.V.Ramana, learned counsel for the petitioner appeared.

The learned G.P for Higher Education appeared for the respondent Nos.1 and 2. As could be seen from the record, though the writ petition was filed in the year 2017, till today respondent Nos.1 and 2 did not choose to file their counter-affidavits, as stipulated in Writ Proceeding Rules. It shows the callous attitude of the respondent Nos.1 and 2.

The learned G.P for Higher Education seeks time to file counter on behalf of the respondent Nos.1 and 2. His request is conceded provided filing of counter as well as appearance of respondent Nos.1 and 2 by the date next adjournment. In failing to file the counter affidavits by the date of next adjournment, the right of respondent Nos.1 and 2 in filing their counter-affidavits would be forfeited.

Post on 21-04-2022 for filing counter-affidavits by respondent Nos.1 and 2 and for appearance of respondent Nos.1 and 2 before this court in person."

//TRUE COPY//

Sd/-P.VenkataRamana
DEPUTY REGISTRAR

SECTION OFFICER

For ASSISTANT REGISTRAR

To

- 1.The Principal Secretary, Higher Education (UE.I) Department,
State of Andhra Pradesh, Andhra Pradesh Secretariat, Velagapudi, Amaravathi,
Guntur District. ✓
(By Speed Post with a direction to appear before this
Hon'ble Court on 21-04-2022 at 10 : 30 AM) ✓
- 2.The Principal Secretary, Finance Department, State of Andhra Pradesh,
Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District.
(By Speed Post with a direction to appear before this
Hon'ble Court on 21-04-2022 at 10 : 30 AM) ✓
- 3.Two CCs to the G.P. for Higher Education, High Court of A.P., ✓
at Amaravati.(OUT)(By Special Messenger) ✓
- 4.One CC to Sri P.V. Ramana, Advocate(OPUC) ✓
- 5.Oe spare copy.

TKK

HIGH COURT

DR.KMR.J

DT.07-04-2022.

ORDER

W.P.No. 30255 of 2017
&
C.C.No. 2253 of 2017.

DIRECTION

