

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI
WRIT PETITION NO: 8692 OF 2025



Between:

R V Subhash Chandra Bose, Age 73 years, S/o Late R.Venkatesam Chetty,
R/o H.No.12/122, Javali Street, Palamneru, Chittoor District, Andhra Pradesh.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Transport Roads Buildings Department, AP Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
2. The State Transport Authority, Rep. By Its Commissioner, Vijayawada, Andhra Pradesh.
3. The Transport Commissioner, RTC House 3rd Floor, NTR Administrative Block, Vijayawada - 520013
4. The Joint Transport Commissioner & Secretary, State Transport Authority, Vijayawada, Andhra Pradesh.
5. The Deputy Transport Commissioner & Secretary, Regional Transport Authority, Andhra Pradesh State.
6. The APSRTC, By its Managing Director, Vijayawada, Krishna District.
7. Zameer Ahamed, S/o Late K.M.Abdul Rehman, Age 70 years, R/o House No.1521 (old). New No. 1003, Old Post Office Road, Kolar District, Karnataka State.
8. S.Gunashekar, Age 50 years. Prop. M/s. Venson Transports Pvt Ltd, No.25-197, Reddygunta, Chittoor, AP State.
9. N.Sudha, W/o Chandrashekar, Prop. Vinayaka Motor Service, Gunjuru Village, Bengaluru Rural, Karnataka State.

...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 of Mandamus or any other appropriate Writ order direction, a. Declaring the proceedings of the 4th respondent i.e.. Joint Commissioner cum State Transport Authority, Vijayawada passed in R.NO.2721903/B1/2019 dated 05.03.2025, wherein the revision of timings and night halt granted to the petitioner in proceedings No. R.No.946736/B1/2019 dt.23.03.2021 is now rejected, as bad, illegal, arbitrary, violative of principles of natural justice and a non-speaking order and also contrary to the Judgment and Order of this Honble Court in W.A.No. 876 of 2023 dt.06.09.2023 and Set aside the same b. And further Consequently declare that the petitioner is entitled to continue the operation of vehicle vide permit no.43/64 for the route Tirupathi to Bangalore and back as per the earlier proceedings of 4 Respondent passed in proceedings No. R.No.946736/B1/2019 dt.23.03.2021.

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 suspend the proceedings of 4th Respondent passed in R.No.2721903/B1/2019 dated: 05.03.2025 by permitting the petitioner to continue to operate the vehicle vide permit No.43/64 for the route Tirupathi to Bangalore and back as per the earlier proceedings of 4th Respondent passed in proceedings No.R.No.946736/B1/2019 dated.23.03.2021, Pending disposal of WP 8692 of 2025, on the file of the High Court.

The Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI E MARUTHI RAJA Advocate for the Petitioner, and of GP FOR TRANSPORT, for the Respondent Nos.1 to 5, and of SRI A.RAMA RAO, Standing Counsel

for the Respondent No.6, and of SRI S.ARIFULLA, Advocate for the Respondent Nos.7 & 8, the Court made the following

ORDER:

Learned Government Pleader for Transport takes notice for respondents 1 to 5;

Sri A.Rama Rao, learned standing counsel takes notice for 6th respondent, offers to file vakalat and they seek time to get instructions.

Sri S.Arifulla, learned counsel takes notice for respondents 7 and 8.

Learned counsel for the petitioner is permitted to take out personal notice to 9th respondent by registered post with acknowledgment due and file proof of service.

Impugning the proceedings vide R.No.2721903/B1/2019 dated 05.03.2025 issued by the 4th respondent-Joint Transport Commissioner, the above writ petition is filed.

Earlier, the petitioner filed Intra-Court appeal vide W.A.No.876 of 2023 against the orders dated 08.08.2023 in W.P.No.28645 of 2022 passed by the learned single Judge. The Intra-court appeal was disposed of on 06.09.2023. The order dated 08.08.2023 in W.P.No.28645 of 2022 and the order passed by the Joint Transport Commissioner, Vijayawada in Rc.No.2721903/B1/2019 and Rc.No.946736/B1/2019 dated 23.03.2021 were set aside. The matter was remitted to the 4th respondent for fresh consideration by fixing time. The Division Bench further directed to maintain status-quo as on the date of filing of the writ petition.

As seen from Ex.P.1 impugned order in the writ petition, the order is running into 5 ½ pages. Upto five pages, the pleadings, objections etc. are extracted. No reasons were assigned.

Given the facts and circumstances of the case, the proceedings vide R.No.2721903/B1/2019 dated 05.03.2025 issued by the 4th respondent are hereby suspended.

List the matter on 17.04.2025 in Adjourned Motion List.

Sd/-K.SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Transport Roads Buildings Department, State of Andhra Pradesh, AP Secretariat Buildings, Velagapudi, Amaravati, Guntur District. **(by Special Messenger)**
2. The Commissioner, State Transport Authority, Vijayawada, Andhra Pradesh.
3. The Transport Commissioner, RTC House 3rd Floor, NTR Administrative Block, Vijayawada - 520013
4. The Joint Transport Commissioner & Secretary, State Transport Authority, Vijayawada, Andhra Pradesh.
5. The Deputy Transport Commissioner & Secretary, Regional Transport Authority, Andhra Pradesh State.
6. The Managing Director, APSRTC, Vijayawada, Krishna District.
7. Zameer Ahamed, S/o Late K.M.Abdul Rehman, Age 70 years, R/o House No.1521 (old). New No. 1003, Old Post Office Road, Kolar District, Karnataka State.
8. S.Gunashekar, Age 50 years. Prop. M/s. Venson Transports Pvt Ltd, No.25-197, Reddygunta, Chittoor, AP State.
9. N.Sudha, W/o Chandrashekar, Prop. Vinayaka Motor Service, Gunjuru Village, Bengaluru Rural, Karnataka State. **(Addressees 2 to 9 by RPAD)**
10. One CC to SRI. E MARUTHI RAJA Advocate [OPUC]

11. Two CCs to GP FOR TRANSPORT, High Court of Andhra Pradesh.

[OUT]

12. One CC to SRI A.RAMA RAO, Standing Counsel [OPUC]

13. One CC to SRI S.ARIFULLA, Standing Counsel [OPUC]

14. One spare copy

PSR



HIGH COURT

SRS,J

DATED:03/04/2025

NOTE: List the matter on 17.04.2025 in Adjourned Motion List.

ORDER

WP.No.8692 of 2025

INTERIM SUSPENSION

