

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

**TUESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN

WRIT PETITION NO: 9935 OF 2025



Between:

CH.L.Narayana, S/o. Venkata Rao, Aged 54 years, Occupation. Driver (APSRTC), R/o. D.No.14-11-39, Kottapeta, Yagarlapalli, Tadepaligudem, West Godavari District - 534102.

...Petitioner

AND

1. The Vice-Chairman & Managing Director, Andhra Pradesh Public Transport Department (APSRTC), PNBS Bus station, Vijayawada, Krishna District.
2. The Depot Manager, Andhra Pradesh Public Transport Department (APSRTC), Tadepalligudem, West Godavari District.

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue Writ more in the nature of Writ of Mandamus or any other writ order or direction, declaring the illegal actions of the Respondents No.1 to 2 more particularly respondent No.2 suspended me on 25.03.2025 in violation of serial No.5 (intoxication) more particularly serial No.5.2.1 time-major-2) of Annexure-II of the circular No.PD01/2019, Dated.01.01.2019 principles of natural justice and Articles.14 and 16 of the constitution of India is illegal, arbitrary, unconstitutional and set aside the impugned suspension order 02/498(7)/2025-TPG, dated.25.03.2025 and impugned charge sheet No.02/498(07)/2025-TPG, dated.25.03.2025 and consequently to direct the respondents No.1 and 2 to reinstate me together with all benefits treating the

entire period of suspension as spent on duty and release monetary and other service benefits pending disposal of the above writ petition.

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 petition, the High Court may be pleased to direct the respondents No.1 and 2 to reinstate me together with all benefits treating the entire period of suspension as spent on duty and release monetary and other service benefits Pending disposal of WP 9935 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 MULLAPUDI SATYANARAYANA Advocate for the Petitioner, and of Sri T.Vinod Kumar, Standing Counsel, for the Respondents, and the Court made the following

ORDER:

“Sri T.Vinod Kumar, learned Standing Counsel takes notice for respondents.

The impugned suspension order dated 25.03.2025, issued by the 2nd respondent on the allegation that petitioner being found under the influence of alcohol as recorded as 21mg/100ml in first time and 17mg/100ml in second time, is apparently being contrary to Clause 5.1.2 of Circular No.PD01/2019 dated 01.01.2019, which specifies that such nature of irregularities does not warrant suspension, therefore, *prima facie*, impugned suspension order is unsustainable.

Hence, impugned suspension order No.O2/498(7)2025-TPG, dated 25.03.2025 stands suspended, pending further orders, and the respondents are directed to re-instate the petitioner into service. However, the same does not preclude the respondents from proceeding with further enquiry.

Let counter-affidavit be filed within four (04) weeks and reply, if any, in two (02) weeks.

List the matter after eight (08) weeks."

//TRUE COPY//

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR
SECTION OFFICER

For ACC.

To,

1. The Vice-Chairman & Managing Director, Andhra Pradesh Public Transport Department (APSRTC), PNBS Bus station, Vijayawada, Krishna District.
2. The Depot Manager, Andhra Pradesh Public Transport Department (APSRTC), Tadepalligudem, West Godavari District. (**Addresses 1 to 3 by RPAD**)
3. One CC to SRI. MULLAPUDI SATYANARAYANA, Advocate [OPUC]
4. One CC to SRI T.VINOD KUMAR, STANDING COUNSEL, High Court of Andhra Pradesh [OPUC]
5. One spare copy

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HIGH COURT

CGR,J

DATED:22/04/2025

LIST THE MATTER AFTER EIGHT (08) WEEKS

ORDER

WP.No.9935 of 2025

DIRECTION

