

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



FRIDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 11036 OF 2023

Between:

1. V G Venkateswarlu, S/o V. Sreeramulu Aged 50 years, Occ. Excise Head Constable SEB Station, BMPP, Kalyanadurgam, Ananthapur District, AP
2. J.Sankar Naik, S/o. J. Thirupal Naik Aged 50 years, Occ. Excise Head Constable DTF, Puttaparthi, Puttaparthi District, AP
3. J.Ramachandra, S/o. J. Obaiah Aged 50 years, Occ. Excise Head Constable SEB (IW), Ananthapur, Ananthapur District, AP
4. N.B.Krishnaiah, S/o. N. Hanumanthu Aged 50years, Occ. Excise Head Constable E.S.Squad, Ananthapur, Ananthapur District, AP
5. S.Ram Mohan, S/o. S. Hanumanthappa Aged 50 years, Occ. Excise Head Constable AC Vigilance, Ananthapur, Ananthapur District, AP.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep.by its Principal Secretary Revenue (Excise)Department A.P. Secretariat, Velagapudi Amaravati, Guntur District.
2. The Commissioner of Prohibition and Excise, Vijayawada, N.T.R. District, Andhra Pradesh
3. The District Prohibition and Excise Officer, Ananthapur District, Ananthapur, Andhra Pradesh

...Respondents

WHEREAS the Petitioners above named through their Advocate M/s.Kavitha Gottipati 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, declaring the action of the 3rd Respondent in including the names of petitioners also in the final seniority list of Prohibition and Excise Constables at Sl. No. 55 to 57 and 61 to 62 issued in proceedings Rc No. 215/2009/A dated 24-04-2023 even though the petitioners are promoted as Prohibition and Excise Head Constables and the services of petitioners are regularized in the category of Prohibition and Excise Head Constables is illegal, arbitrary, unjust and violative of principles of natural justice and consequently direct the respondents to continue the petitioners as Prohibition and Excise Head Constables by deleting their names in the feeder category final seniority list of Prohibition and Excise Constables issued by the 3rd respondent vide proceedings Rc No. 215/2009/A dated 24-04-2023.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of M/s. Kavitha Gottipati, Advocate for the Petitioners and of GP for Services-I for Respondents, 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 Revenue (Excise) Department State of Andhra Pradesh, A.P. Secretariat, Velagapudi Amaravati, Guntur District.
2. The Commissioner of Prohibition and Excise, Vijayawada, N.T.R. District, Andhra Pradesh
3. The District Prohibition and Excise Officer, Ananthapur District, Ananthapur, Andhra Pradesh

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.

IA NO: 1 OF 2023

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 direct the respondents to continue the petitioners in the category of Prohibition and Excise Head Constables without reference to the feeder category of final seniority list of Prohibition and Excise Constables issued by the 3rd respondent vide proceedings Rc No. 215/2009/A dated 24-04-2023, pending disposal of WP No. 11036 of 2023, on the file of the High Court.

**The Court made the following
ORDER:**

"Notice before admission.

**Learned Government Pleader for Services-I takes notice on behalf
of the respondents.**

List the matter after Summer Vacation, 2023, in regular list.

**Till then, status-quo obtaining as on today shall be maintained by
the respondents.**

Further, learned Government Pleader is directed to file counter."

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

Ft

SECTION OFFICER

To,

1. The Principal Secretary Revenue (Excise) Department State of Andhra Pradesh, A.P. Secretariat, Velagapudi Amaravati, Guntur District.
2. The Commissioner of Prohibition and Excise, Vijayawada, N.T.R. District, Andhra Pradesh

3. The District Prohibition and Excise Officer, Ananthapur District, Ananthapur, Andhra Pradesh(1 to 3 by RPAD- along with a copy of petition and Affidavit)
4. One CC to M/s. Kavitha Gottipati, Advocate [OPUC]
5. Two CCs to GP for Services I, High Court of Andhra Pradesh. [OUT]
6. One spare copy.

MSB

HIGH COURT

NV,J

DATED:28/04/2023

ORDER

LIST THE MATTER AFTER SUMMER VACATION, 2023 IN REGULAR LIST

NOTICE BEFORE ADMISSION

WP.No.11036 of 2023

STATUS QUO

