

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



MONDAY, THE TWENTY FIFTH DAY OF JULY
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION NO: 22282 OF 2022

Between:

V. Radhaiah, S/o Late V. Anneppa Modali, Aged 62 years, Retired Dy. Commissioner Proh. and Excise, R/o Flat No.302, Ganga Block, Sri Hari Nilayam, V.V. Nagar, Tiruchanoor, Tirupati Rural, Tirupati.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by Principal Secretary, Revenue (Excise) Department, Secretariat Building, Velagapudi, Amaravati, Guntur District.
2. The Commissioner of Prohibition and Excise, Government of Andhra Pradesh, Prasadampadu, Vijayawada, Krishna District.
3. The Tribunal for Disciplinary Proceedings (TDP), for the State of Andhra Pradesh, Rep. by its Secretary, Nampalli, Hyderabad.

...Respondents

WHEREAS the Petitioner above named through his Advocate Sri Manoj Kumar Bethapudi 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 of mandamus declaring the action of the respondents in not concluding the Disciplinary Proceedings in TEC No.551 of 2013, - Dt.30.11.2018 and withholding 25 % of Pension and other retirement benefits viz., Group Insurance, Earned Leave salary and commutation of pension, etc., as illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India and consequently set aside the Charge memo in TEC No.551 of 2013, Dt.30.11.2018 and further direct the respondents to release balance of 25 percent pension and other retirement benefits viz., Group Insurance, Earned Leave salary and commutation of pension, etc., with interest @ 12 percent from the date of his retirement;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Manoj Kumar Bethapudi, Advocate for the Petitioner 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, Secretariat Building, Velagapudi, Amaravati, Guntur District.
2. The Commissioner of Prohibition and Excise, Government of Andhra Pradesh, Prasadampadu, Vijayawada, Krishna District.
3. The Secretary, Tribunal for Disciplinary Proceedings (TDP), for the State of Andhra Pradesh, Nampalli, Hyderabad.

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 22.08.2022, on which date the case stands posted for hearing.

The Court made the following:

ORDER:

"Notice before admission.

Learned Government Pleader for Services-I takes notice for respondents and seeks time to file counter affidavit in this matter.

List this matter on 22.08.2022."

**Sd/- V. SATYANARAYANA
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (Excise) Department, State of Andhra Pradesh, Secretariat Building, Velagapudi, Amaravati, Guntur District.
2. The Commissioner of Prohibition and Excise, Government of Andhra Pradesh, Prasadampadu, Vijayawada, Krishna District.
3. The Secretary, Tribunal for Disciplinary Proceedings (TDP), for the State of Andhra Pradesh, Nampalli, Hyderabad. **(1 to 3 by RPAD- along with a copy of petition and Affidavit)**
4. One CC to Sri. Manoj Kumar Bethapudi, Advocate [OPUC]
5. Two CCs to GP for Services-I, High Court of Andhra Pradesh. [OUT]
6. One spare copy.

MSB

HIGH COURT

KVL,J

DATED:25/07/2022

ORDER

LIST THIS MATTER ON 22.08.2022

NOTICE BEFORE ADMISSION

WP.No.22282 of 2022

