

[3460]

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

**MONDAY, THE ELEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY
WRIT PETITION NO: 21024 OF 2025**



Between:

G Venkatapati Raju, S/o.Venkata Narasimha Raju, Aged 60 years, Attender in Labour Establishment Section, Cargo Handling Division, Traffic Department, Visakhapatnam Port Authority, Visakhapatnam District, R/o.Type-2/78, DLB Quarters, Kailasapuram, Visakhapatnam District.

Petitioner

AND

1. The Visakhapatnam Port Authority, Represented by its Chairperson, Visakhapatnam Port Authority, Port Area, Visakhapatnam District.
2. The Cargo Handling Division, rep.by its Traffic Manager, Traffic Department, Visakhapatnam Port Authority, Port Area, Visakhapatnam District.

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 particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in issuing Proceedings No.ITRA/TM/CHD/JC/SUP/GVP/2025/17 dated 04-08-2025 seeking to retire the Petitioner at the age of 60 years instead of 62 years as per rules of the Government of AP is arbitrary, illegal, erroneous, and in violation of Articles 14 and 16 of the Constitution of India and consequently set-aside the same further direct the respondents to continue the petitioner into service till 62 years instead of 60 years in the interest of justice.

IA NO: 1 OF 2025

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 herein to continue the petitioner in service till age of the superannuation i.e., 62 years without any break and with all consequential attendant benefits including regular pay and allowances by suspending the Proceedings No.ITRA/TM/CHD/JC/SUP/GVP/2025/17 dated 04-08-2025 issued by the 2nd respondent, Pending disposal of WP 21024 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 P DURGA PRASAD Advocate for the Petitioner and of Sri PADIRI RAVI TEJA, Standing counsel for Respondents 1 and 2, the Court made the following **ORDER**

“The present Writ Petition is filed questioning the action of the Respondents in issuing Proceedings No. ITRA/TM/CHD/JC/ SUP/ GVP/2025/17, dated 04.08.2025 seeking to retire the Petitioner from services at the age of 60 years instead of 62 years as illegal and arbitrary.

The Petitioner was appointed as unaided Sweeper and working in Visakhapatnam Dock Labour Board Junior College, Visakhapatnam ,vide Order dated 02.12.1992. The Traffic Manager of the Respondent No.1, namely Visakhapatnam Port Authority has issued the impugned proceedings would show that the Petitioner would be made to superannuate on attaining the age of 60 years by 31.08.2025.

Learned counsel for the Petitioner would submit that in similar circumstances of this nature, this Court had passed interim direction to continue the Petitioner until he attains the age of 62 years vide W.P.No.4522 of 2024, dated 21.02.2024 and requested to pass similar order in this Writ Petition also.

In that view, the following interim order is passed:

- (i) The Respondents are directed to continue the Petitioner until he attains the age of 62 years, without any break and with all consequential and attendant benefits including regular pay and allowances, pending disposal of this Writ Petition.

Registry is directed to list this matter along with W.P.No. 4522 of 2024.”

Sd/- K.TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

For

To,

1. The Chairperson, Visakhapatnam Port Authority, Visakhapatnam Port Authority, Port Area, Visakhapatnam District.
2. The Traffic Manager, Cargo Handling Division, Traffic Department, Visakhapatnam Port Authority, Port Area, Visakhapatnam District. (Nos. 1 and 2 by RPAD)
3. One CC to SRI. P DURGA PRASAD Advocate [OPUC]
4. One CC to SRI. PADIRI RAVI TEJA, Standing Counsel [OPUC]
5. One spare copy

HIGH COURT

VN,J

DATED:11/08/2025

LIST THIS MATTER ALONG WITH W.P.NO. 4522 OF 2024

ORDER

WP.No.21024 of 2025

DIRECTION

