

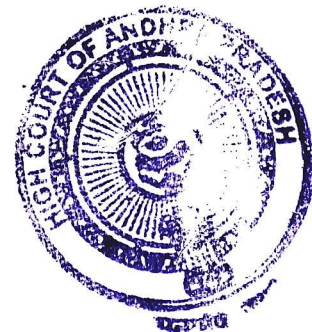
**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**MONDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 32419 OF 2025



Between:

Dr. Kottala Sudhakar Babu, S/o. Moses, Aged about 48 Years, Occ. - Civil Assistant Surgeon, Department of Ophthalmology, Rangaraya Medical College GGH, Kakinada, East Godavari District

.... Petitioner

AND

1. The State of AP, Represented by its Principal Secretary, Health and Medical Family Welfare Department, Secretariat Buildings at Velagapudi Amaravati Guntur District.
2. The Director of Medical Education, Vijayawada, Krishna District.
3. The Director Public Health Family Welfare Department, Government of Andhra Pradesh, Vijayawada, A.P
4. The Superintendent/ Add Director, Government General Hospital, Kakinada, East Godavari District.
5. The Principal, Rangaraya Medical College, GGH Kakinada, East Godavari District.
6. The H.O.D. Department of Ophthalmology, Rangaraya Medical College, GGH Kakinada, East Godavari District

... Respondent/s

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 grant a writ or order more particularly, one in the form of a writ of MANDAMUS declaring the action of the respondents in not releasing/

sanction to the petitioner pending salaries from July 2024 to till date and deleted the DME-FRS (Director of Medical Education - Facial Recognition System) of the petitioner, as illegal, arbitrary.unjust, discrimination of and contrary to service rules apart from violation of Article 14, 16, 21 and 300-A of the Constitution of India and consequently direct the respondents to release pending salaries from July 2024 to till date and restore the DME-FRS (Director of Medical Education - Facial Recognition System) in the interest of justice.

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 to release the petitioner pending salaries from July 2024 to till date and restore the DME-FRS (Director of Medical Education - Facial Recognition System), Pending disposal of WP 32419 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 CHAKRADHARA RAJA Y Advocate for the Petitioner, GP FOR HEALTH AND MEDICAL FAMILY WELFARE for respondents and the Court made the following.

ORDER

The Writ Petition is filed questioning the action of the Respondents in not releasing the salary of the Petitioner from July, 2024, to till date and having deleted the DME-FRS (Director of Medical Education-Facial Recognition System) of the Petitioner as illegal and arbitrary.

The Petitioner is working as Civil Assistant Suregon in Ophthalmogoly, Rangaraya Medical College, GGH, Kakinada, East

Godavari District since 2000. The Petitioner met with an accident on 20.03.2021 and suffered severe injuries to his legs. A criminal case in Cr. No. 50 of 2021 was registered before the IV Additional Judicial First Class Magistrate, Kakinada, which was registered as C.C. No. 1111 of 2021. The Petitioner also filed MVOP No. 356 of 2021 before X Additional District Judge, Rajahmundry, seeking compensation. While so, the Petitioner had applied for medical leave from 07.09.2024 to 22.12.2024, and after the recovery, the Petitioner claims to have reported for duty on 23.12.2024 and has been discharging his duties ever since.

Learned counsel for the Petitioner relies on the letter dated 12.05.2025 issued by the Department of Ophthalmology, Rangaraya Medical College, GGH Kakinada, wherein it is stated that the Petitioner is attending the duties from 23.12.2024 to till date.

The grievance of the Petitioner is that salaries are not being paid from July, 2024 to till date.

Sri S. Raju, learned Assistant Government Pleader, on instructions, submits that due to unauthorized absence of the petitioner and manipulation of the Attendance Records, the name of the Petitioner was deleted from the DME-FRS (Director of Medical Education-Facial Recognition System) portal on 23.01.2025 after verifying that the Petitioner had not attended the duties from 06.07.2024 to 30.09.2024 despite logging digital attendance for 37 days. It is also stated that the Head of Department on 28.05.2025 had submitted a Letter to the Superintendent, GGH, that the Petitioner is not attending the Department, but the Petitioner is signing the Attendance Register without the knowledge of the Superintendent.

Learned counsel for the Petitioner disputed the same.

Heard the respective counsel.

Considering the submissions made, it would be appropriate to pass the following interim order:

- i) The Petitioner shall give a Joining Report to the Respondent Authorities undertaking to discharge regular duties as per the rules.
- ii) On receipt of the same, the Respondent Authorities shall consider the same and issue Joining Orders to the Petitioner forthwith.
- iii) The issuance of salaries to the Petitioner from July, 2024, to till date would be considered after filing Counter Affidavit.

Post after six weeks for filing Counter Affidavit.

Sd/-K.KASIRAO ACHARI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Health and Medical Family Welfare Department, State of Andhra Pradesh, Secretariat Buildings at Velagapudi Amaravati Guntur District.
2. The Director of Medfical Education, Vuijayawada, Krishna Distrcict.
3. The Director Public Health Family Welfare Department, Governemnt of Andhra Pradesh, Vijayawada, A.P
4. The Superintendent/ Add Director, Government General Hospital, Kakinada, East Godavari District.
5. The Principal, Rangaraya Medical College, GGH Kakinada, East Godavari District.
6. The H.O.D. Department of Ophthalmology, Rangaraya Medical College, GGH Kakinada, East Godavari District (1 to 6 by RPAD)
7. One CC to SRI. CHAKRADHARA RAJA Y Advocate [OPUC]
8. Two CCs to GP FOR HEALTH AND MEDICAL FAMILY WELFARE, High Court Of Andhra Pradesh. [OUT]
9. One spare copy

KSR

HIGH COURT

VN, J

DATED:08/12/2025

Post after six weeks for filing Counter Affidavit.

ORDER

WP.No.32419 of 2025

DIRECTION

