

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

TUESDAY, THE SIXTH DAY OF JANUARY ✓
TWO THOUSAND AND TWENTY SIX ✓

:PRESENT: ✓

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY ✓

WRIT PETITION NO: 36842 OF 2025 ✓

Between: ✓

P Satyanarayana, S/o P.China Sanyasi Naidu, Age 67 years, Occ
Attender(Retd), The E.S.I.Hospital, Visakhapatnam, R/o. Flat No. 202, ✓
E.G.Grand, Ayyappa Nagar, Visakhapatnam, Visakhapatnam District, Pin
Code No.530007. ✓

...Petitioner ✓

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary to Government, Labour, Employment and Training Department Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District Pin Code - 522503
2. The Insurance Medical Services, Represented by its Director, Government of Andhra Pradesh, 2nd Lane, Kedaraswara peta, Near Prabhas College of Education, Vijayawada, Krishna District Pin code - 520003 ✓
3. The Medical Superintendent, E.S.I. Hospital, Arilova, Visakhapatnam, Visakhapatnam District Pin code - 530049 ✓
4. The Lay Secretary and Treasurer Officer of the Medical Superintendent, E.S.I. Hospital, Visakhapatnam, Visakhapatnam District, Pin code - 530040 ✓
5. The Accountant General, Government of Andhra Pradesh, M G Road, Governor Pet, Vijayawada, Krishna District, Pin code - 530040 ✓

6. The District Cooperative Officer, Cooperative Department,
Visakhapatnam Visakhapatnam District Pin code 530002

...Respondents

WHEREAS the Petitioner above named through his Advocate SRI L V S NAGARAJU 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 an appropriate Writ, Order or Direction more particularly one in the nature of writ of mandamus to declare the action of the 3rd respondent in addressing letter in Rc.No 67/E3/ESI-H-VIKP/2025 dated 25-09-2025 requesting to issue no due certificate from the 6th respondent for releasing the Encashment of Earned Leave that is due towards the retirement benefits of the petitioner in spite of the orders of the Honble High Court in W.P.No.14007 of 2019 dated.29-10-2019 as illegal, arbitrary and Unconstitutional and consequently direct the respondents to release the Encashment of Earned Leave that is due towards the retirement benefits of the petitioner with out insisting for no due certificate from the 6th respondent forthwith with interest.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri L V S NAGARAJU Advocate for the Petitioner, and of GP FOR LABOUR, for the Respondent No.1, and of GP FOR MEDICAL & HEALTH, for the Respondent No.2, and of SRI V.CH.NAIDU, Standing Counsel for the Respondent Nos.3 & 4, and of GP FOR COOPERATION, for the Respondent No.6, and of SMT K.SWARNA SESHU, Standing Counsel for the Respondent No.5, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted within ~~two~~ (4) weeks.

You viz:

1. The Principal Secretary, to Government, Labour, ✓ Employment and Training Department, State of Andhra Pradesh, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District Pin Code - 522503
2. The Director, Insurance Medical Services, Government of Andhra Pradesh, 2nd Lane, Kedareshwara peta, Near Prabhas College of Education, Vijayawada, ✓ Krishna District Pin code - 520003
3. The Medical Superintendent, E.S.I. Hospital, Arilova, ✓ Visakhapatnam, Visakhapatnam District Pin code - 530049
4. The Lay Secretary and Treasurer Officer of the Medical Superintendent, E.S.I. Hospital, Visakhapatnam, ✓ Visakhapatnam District, Pin code - 530040
5. The Accountant General, Government of Andhra Pradesh, M G Road, Governor Pet, Vijayawada, ✓ Krishna District, Pin code - 530040
6. The District Cooperative Officer, Cooperative Department, ✓ Visakhapatnam Visakhapatnam District Pin code 530002

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 05.02.2026, to which date the case stands posted for hearing.

IA NO: 1 OF 2025

Petition under Section 151 of 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 Encashment of Earned Leave that is due towards the retirement benefits of the petitioner with interest with out insisting for no due certificate from the 6th respondent as sought by the 3rd respondent in letter Rc.No.67/E3/ESIH-VIKP/2025 dated 25-

09-2025 forthwith, pending disposal of WP No. 36842 of 2025, on the file of the High Court.

The Court made the following: ORDER

1. Notice before admission, returnable in four (4) weeks. ✓
2. The present Writ Petition is filed questioning the action of Respondents in not releasing the Earned Leave amount due to the Petitioner, as illegal and arbitrary. ✓
3. The Petitioner was appointed as Attender in Respondent No.3- Hospital and had retired from service on 31.08.2018. As the retirement benefits were not paid to him, the Petitioner filed O.A.No.740 of 2019 before the Andhra Pradesh Administrative Tribunal (for short 'the APAT') and the APAT passed an interim order on 10.05.2019 directing the Respondents to release all pensionary benefits due to the Petitioner. ✓
4. As the interim orders passed by the APAT were not implemented, the Petitioner filed W.P.No.14007 of 2019 before this Court and this Court disposed of the said Writ Petition on 29.10.2019 directing the Respondents to pay retirement benefits due to the Petitioner within a period of three (3) months from the date of receipt of a copy the order. ✓
5. Though the retirement benefits as directed by this Court were paid, the Earned Leave amount was not paid to the Petitioner, as there are outstanding dues to ESI Cooperative Thrift Society and Government house building advance. ✓
6. The outstanding due to the ESI Cooperative Thrift Society is not the concern of the Respondents unless there are orders of restraint from disbursing the amounts in any proceedings initiated by the Society in any Court or authority under the A.P.

Cooperative Society. As regards the Government house building advance, nothing is specified. ✓

7. In the light of the above, there shall be interim direction as under; ✓

- (i) Respondent No.3 shall disburse the amounts with respect to the Earned Leave relating to the Petitioner within a period of (04) weeks. ✓

Post on 05.02.2026. ✓

//TRUE COPY//

For

SD/- M.PRABHAKARA RAO
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary to Government, Labour, Employment and Training Department, State of Andhra Pradesh, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District Pin Code – 522503 (by Special Messenger along with a copy of petition and affidavit)
2. The Director, Insurance Medical Services, Government of Andhra Pradesh, 2nd Lane, Kedareshwara peta, Near Prabhas College of Education, Vijayawada, Krishna District Pin code - 520003
3. The Medical Superintendent, E.S.I. Hospital, Arilova, Visakhapatnam, Visakhapatnam District Pin code - 530049
4. The Lay Secretary and Treasurer Officer of the Medical Superintendent, E.S.I. Hospital, Visakhapatnam, Visakhapatnam District, Pin code - 530040
5. The Accountant General, Government of Andhra Pradesh, M G Road, Governor Pet, Vijayawada, Krishna District, Pin code - 530040

6. The District Cooperative Officer, Cooperative Department, Visakhapatnam Visakhapatnam District Pin code 530002
(Addressees 2 to 6 by RPAD- along with a copy of petition and affidavit)
7. One CC to SRI. L V S NAGARAJU Advocate [OPUC]
8. Two CCs to GP FOR GP FOR LABOUR, High Court of Andhra Pradesh. [OUT]
9. Two CCs to GP FOR MEDICAL & HEALTH, High Court of Andhra Pradesh [OUT]
10. One CC to SRI V.CH.NAIDU, Standing Counsel [OPUC]
11. Two CCs to GP FOR COOPERATION, High Court of Andhra Pradesh [OUT]
12. One CC to SMT K.SWARNA SESHU, Standing Counsel [OPUC]
- 13. One spare copy**

PSR

HIGH COURT

VN,J

DATED:06/01/2026

NOTE: Post on 05.02.2026.

NOTICE BEFORE ADMISSION

WP.No.36842 of 2025



INTERIM DIRECTION