

APHC010070292026



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3208]

TUESDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 4498/2026

Between:

1. S VISWANADHAM, S/O. SHANMUGAM, AGED ABOUT 58 YEARS, OCC. CONDUCTOR, E-554028, R/O. SRIRANGAPALLI VILLAGE, PAPISETTYPAILI POST, GUDIPALA MANDAL, CHITTOOR DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY TO TRANSPORT ROADS AND BUILDINGS, AMARAVATI, GUNTUR DISTRICT .522241

2. THE MANAGING DIRECTOR, APSRTC NTR ADMINISTRATIVE OFFICE, PNBS, VIJAYAWADA.520001

3. THE DEPUTY CHIEF TRAFFIC MANAGER, ANDHRA PRADESH STATE ROAD TRANSPORT CORPORATION, CHITTOOR DISTRICT.517001

4. THE REGIONAL MANAGER, APSRTC, CHITTOOR REGION, TIRUPATI.517001

5. THE AP STATE ROAD TRANSPORT CORPORATION, REP.

BY ITS DEPOT MANAGER, CHITTOOR - II DEPOT.517001

...RESPONDENT(S):

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 orders or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 4 and 5 in not passing orders on the Appeal / Representations dt. 10.05.2020, 01.10.2021, 16.09.2022 and 04.11.2022, wherein the petitioner requested for reinstatement as Conductor against the order of removal from service vide Progs. No.P2/255(06)/2012-CTR-2, Dt 03.05.2013 as illegal, arbitrary and unconstitutional and consequently direct the respondents 4 ad 5 to consider and pass appropriates orders on the Appeal / Representations dt. 10.05.2020, 01.10.2021, 16.09.2022 and 04.11.2022.

Counsel for the Petitioner:

1.GANDHAVALLI MAHESH DEVAN

Counsel for the Respondent(S):

1.GP FOR SERVICES II

The Court made the following:

THE HONOURABLE SRI JUSTICE D.RAMESH**WRIT PETITION NO: 4498 of 2026****ORDER:**

The present Writ Petition is filed for the following relief:

.... to issue an appropriate Writ Order or orders or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 4 and 5 in not passing orders on the Appeal / Representations dt. 10.05.2020, 01.10.2021, 16.09.2022 and 04.11.2022, wherein the petitioner requested for reinstatement as Conductor against the order of removal from service vide Progs. No.P2/255(06)/2012-CTR-2, Dt 03.05.2013 as illegal, arbitrary and unconstitutional and consequently direct the respondents 4 ad 5 to consider and pass appropriates orders on the Appeal / Representations dt. 10.05.2020, 01.10.2021, 16.09.2022 and 04.11.2022 and pass order or orders as this hon'ble court may deems fit and proper in the circumstances of the case.....

2. Heard learned counsel for the petitioners and learned standing counsel for APSRTC representing the respondents 1 to 4.

3. The grievance of the petitioner is that not considering the representations dated 10.05.2020, 01.10.2021, 16.09.2022 and 04.11.2022 submitted by the petitioner. Initially the respondents have removed the petitioner from service vide proceedings dated 03.05.2013 and a Crime No.263 of 2013 on the file of the I Town Police Station, Chittoor under Section 420 IPC was registered. Thereafter the Special Judicial Magistrate of the First Class Prohibition and Excise-cum- VI Additional Junior Civil Judge,

Chittoor acquitted the petitioner vide judgment dated 30.10.2019. Hence, the petitioner has submitted the above said representations for review of his removal based on the acquittal made by the Special Judicial Magistrate of the First Class Prohibition and Excise-cum- VI Additional Junior Civil Judge, Chittoor. Despite repeated requests, the respondents have not considered and passed any orders on the above said representations. Hence, the present writ petition.

4. The learned standing counsel for A.P.S.R.T.C submits that the acquittal which is relied upon by the petitioner is not clear acquittal. Hence, in the said circumstances, the Hon'ble Apex Court has categorically held that unless it is clear acquittal, the employee is not entitled for reinstatement.

5. Considering the submissions and on perusal of the record, the writ petition is disposed of directing the respondents 4 and 5 to consider the representations dated 10.05.2020, 01.10.2021, 16.09.2022 and 04.11.2022 submitted by the petitioner and pass appropriate orders within a period of six (06) months from the date of receipt of a copy of this order in accordance with law after providing the opportunity of hearing.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE D.RAMESH

Date:17.02.2026
GK/JAK

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THE HONOURABLE SRI JUSTICE D.RAMESH

WRIT PETITION NO: 4498 of 2026

Dated: 17.02.2026

GK/JAK