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(1998) 01 AP CK 0002

Andhra Pradesh High Court

Case No: Writ Petition No. 35902 of 1997

G. Srinivas	APPELLANT
Vs	
Regional Manager, APSRTC Nalgonda Dist. and Another	RESPONDENT

Date of Decision: Jan. 27, 1998

Acts Referred:

- Andhra Pradesh State Road Transport Corporation Employees (Recruitment) Regulations, 1966 - Regulation 8, 8(1), 8(4)

Citation: (1998) 6 ALD 9 : (1998) 6 ALT 366 : (1998) 3 AnWR 350 : (1998) 3 APLJ 8

Hon'ble Judges: S.R. Nayak, J

Bench: Single Bench

Advocate: Mr. G. Vidya Sagar, for the Appellant;

Judgement

@JUDGMENTTAG-ORDER

1. Writ Petition was heard finally with the consent of the learned Counsel for the parties.

2. The petitioner has assailed the validity of the show-cause notice dated 15-12-1997 in which it is stated that the petitioner is a native of West Godavari district whereas he obtained job in Nalgonda region and therefore it breaches the domicile requirement. Regulation 8 (1) of the APSRTC Employees (Recruitment) Regulations, 1966 makes it very clear that any citizen of India could apply to the post in the establishment of the APSRTC. However sub-regulation (4) of Regulation 8 provides that other things being equal, preference shall be given to a candidate who is domiciled in the State of Andhra Pradesh and who is conversant with atleast one of the regional languages. There is no dispute that the petitioner is an Andhrite and hails from West Godavari district. Therefore the petitioner was quite competent to apply and seek appointment to the post of Conductor. The impugned steps now taken to terminate his services only on the ground

that he is a native of West Godavari district and not a native of Nalgonda region cannot be sustained only on the basis of certain circulars administrative instructions issued by the Management of the APSRTC completely violating the entitlement conferred upon the petitioner under Regulation 8 (1) of the APSRTC. Employees Recruitment Regulations, 1966. No useful purpose will be served by permitting the respondent-management to pursue further in pursuance of the impugned show-cause notice. Hence the writ petition is allowed and the impugned show cause notice is quashed. No costs.