APHC010354332026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3329]**
(Special Original Jurisdiction)

TUESDAY, THE 14th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 18913/2026

Between:

1. SHAIK SHAVALI, S/O. T. ABDUL SATTAR AGED ABOUT 50 YEARS, OCC BUSINESS (HIRE BUS OWNER) , R/O. H NO. 1/86, VAKITIPETA, ATRNAKUR, NANDYAL DISTRICT. ANDHRA PRADESH -518422

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, TRANSPORT ROADS AND BUILDINGS DEPARTMENT A.P. SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT, A.P- 522238.
2. THE ANDHRA PRADESH STATE ROAD TRANSPORT CORPORATION, REP. BY ITS MANAGING DIRECTOR, NTR ADMINISTRATIVE BLOCK, RTC HOUSE PANDIT NEHRU BUS STATION, VIJAYAWADA KRISHNA DISTRICT, ANDHRA PRADESH - 520013.
3. THE DISTRICT PUBLIC TRANSPORT OFFICER, APSRTC,I NANDYAL, NANDYAL DISTRICT -518501.
4. THE DEPOT MANAGER, APSRTC, ATMAKUR DEPOT, ATMAKUR, NANDYAL DISTRICT ANDHRA PRADESH -518501.

...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 direction more particularly one

in the nature of WRIT OF MANDAMUS declaring the impugned proceedings of the 3rd respondent proceedings No. 01/359 2017-DPTO-NDL Dt 30.06.2026 in not considering the request of the petitioner for issuance of clearance certificate in respect of petitioner's bus bearing registration No. AP21 TA 3599 as highly arbitrary, illegal and contrary to law and consequently direct the respondent herein to issue clearance certificate in respect of said bus by accepting undertaking furnished by petitioner forthwith in the interest of justice and to pass

IA NO: 1 OF 2026

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

Counsel for the Petitioner:

1. E MARUTHI RAJA

Counsel for the Respondent(S):

1. GP FOR TRANSPORT

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

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ORDER:-

Heard learned counsel for the petitioner and learned Standing Counsel for APSRTC for respondent Nos. 2 to 4. With the consent of both the learned counsel, the present writ petition is being disposed of at the stage of admission.

2. The writ petition is filed seeking to declare the action of respondent No. 3 in issuing the proceedings dated 30.06.2026 without considering the request of the petitioner for issuance of a clearance certificate in respect of the petitioner's bus bearing registration No. AP 21 TA 3599 as illegal, arbitrary, etc., and for a consequential direction to the respondent authorities to issue the clearance certificate in respect of the said bus by accepting the undertaking furnished by the petitioner.

3. At the time of considering the matter, the learned counsel for the petitioner and learned Standing Counsel representing the respondent corporation submitted that similar writ petitions were disposed of by this Court and the present case may be disposed of on similar lines. Both the learned counsel has drawn the attention of this court to the orders in writ petition Nos.17693 of 2023, dated 18.07.2023, 9183 of 2023 dated 17.04.2023 and 38417 of 2022, dated 28.11.2022.

4. In light of the said submissions, the Writ Petition is disposed of, with a direction to the respondent authorities to issue the No Objection Certificate

in favor of the petitioner in respect of the bus bearing No. AP 21 TA 3599, on the condition that the petitioner shall furnish an undertaking in favor of the corporation, to make good the corporation from its claim of non-liability, within a period of four (04) months from the date of receipt of a copy of this order.

5. The Registry is directed to attach a copy of order in W.P.No.38417 of 2022 dated 28.11.2022 to this Order.

There shall be no order as to costs.

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

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VENKATESWARLU NIMMAGADDA, J

Date:14.07.2026
BSP

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THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

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BSP