

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No. 35258 OF 2014

ORDER:

The petitioners herein are retired employees of the Government of Andhra Pradesh. The 1st petitioner retired as an Assistant Director of Industries, while the 2nd petitioner retired as a General Manager of District Industries Center. Both of them are employed in the Industries and Commerce Department of the Government of Andhra Pradesh. The grievance nurtured by them in this case is that the State Government has withheld a part of the pension and the gratuity benefits payable to them. Pension and gratuity is paid by the government as part of the conditions of service of the government servants. If the petitioners have any grievance in that regard, as per the principle enunciated by the Supreme Court in ***L. Chandra Kumar v. Union of India***, they must agitate that question before the Andhra Pradesh Administrative Tribunal created under the Administrative Tribunals Act, at the first instance, and if any further grievance is still subsisting, then alone, they may approach a Division Bench of this Court, but the present Writ Petition is instituted without approaching the Andhra Pradesh Administrative Tribunal.

Hence, preserving liberty to the petitioners to approach the Andhra Pradesh Administrative Tribunal and seek redressal of their grievance, this Writ Petition is dismissed as not maintainable. No costs.

However, this order shall not be treated as expressing any opinion on the merits of the case of the petitioners.

Consequently, the interim order dated 04.12.2014 passed by this Court shall stand dissolved.

Learned counsel for the petitioners has pointed out that C.C. No. 420 of 2015 was filed complaining of violation of the interim order passed in this Writ Petition, which is dismissed today for want of jurisdiction, at the first instance.

Hence, post the Contempt Case for judgment on 17.04.2015.

NOOTY RAMAMOHANA RAO, J

10th April 2015

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