

**THE HON'BLE SRI JUSTICE A.V. SESA SAI**

**WRIT PETITION No.5910 OF 2015**

**ORDER:**

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a writ or order, more in the nature of Writ of Mandamus declaring the action of the respondents herein in reducing petitioner basic pay from Rs.28,370/- to Rs.26,880/- w.e.f August, 2015 without issuing any notice and particulars and without any punishment is illegal, arbitrary contrary to Law and violation of principles of natural justice and the same is liable to be set-aside by this Hon'ble court with all consequential benefits including restoration of basic pay from Rs.26,880/- to Rs.28,370/- with all benefits including payment of arrears and pass such other order orders in the interest of justice as otherwise the petitioner may suffer irreparable loss and hardship..”

2. Heard Sri P.Govinda Rajulu, learned counsel, appearing for the petitioner and Sri A.Ravi Babu, learned standing counsel for the 4<sup>th</sup> respondent.

3. Petitioner herein is a conductor in the respondent Corporation. The grievance of the petitioner in the present writ petition is reduction of his basic pay from Rs.28,370/- to Rs.26,880/- w.e.f. August, 2015.

4. It is the submission of the learned counsel for the petitioner herein that the respondents herein resorted to the said action of the reduction of basic pay without any notice and opportunity of being heard to the petitioner herein.

5. The material on record does not disclose issuance of any notice prior to resorting to the impugned action. It is a settled and well established proposition of law that any action which has civil

consequences must necessarily be preceded by a notice and opportunity to the persons likely to be affected by such action. In the instance case, the same is conspicuously absent. On the said ground alone, the impugned action cannot be sustained.

6. For the aforesaid reasons, Writ Petition is allowed, declaring the unilateral reduction of the basic pay as illegal and it is open for the respondents herein to issue notice and proceed in accordance with law.

7. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

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**A.V.SESHA SAI, J**

15.03.2016  
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