

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

THURSDAY, THE EIGHTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR



PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
AND
THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 14743 AND 14863 OF 2008

Between:

M. Syam sundaram, S/o. Late M. Arjaya aged about 47 years, Working as
SSE/P.way/RJY S.C. Railway, Rajahmundry, East Godavari District.

...PETITIONER

AND

1. The Secretary, Railway Board, (Rep. U.O.I), Ministry of Railways,
Railway Board, New Delhi.
2. The General Manager, S.C. Railway, Rail Nilayam, Secunderabad.
3. The Principal Chief Engineer, S.C. Railway, Rail, Nilayam,
Secunderabad.
4. The Chief Personnel Officer, S.C. Railway, Rail, Nilayam,
Secunderabad.
5. H.S. Meena, S/o. Not known, aged about 45 years, Working as AEN/C-
I, S.C. Railway, Raichur.

6. S.R. Tarole, S/o. Not known, aged about 45 years, Working as AEN/C/CTO, S.C. Railway Nanded
7. Sri M.N. Krishnappa, S/o. Not known, aged about 38 years, Working as ADEN/TM, S.C. Railway Guntakal.
8. Sri R.Srinivasan, S/o. Not known, aged about 45 years, Working as AEN/C, S.C. Railway Guntakal.
9. Sri K. Sambaiah, S/o. Not known, aged about 45 years, Working as ADEN/HQ, S.C. Railway Secunderabad.
10. Sri K.V.R. Sarath Babu, S/o. Not known, aged about 48 years, Working as AEN/C, S.C. Railway Ramachandrapuram, East Godavari District.

...RESPONDENTS

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 any writ order or direction more particularly one in the nature of writ of Certiorari calling for the records leading to passing of order dt.16-6-2006 dismissing the O.A.No.401 of 2005 on the file of the Hon'ble Central Administrative Tribunal, Hyderabad and set aside the same and allow the O.A. as prayed for extending promotion as ADEN w.e.f. the date on which juniors of the petitioner were promoted to the said post.

I.A. NO: 1 OF 2008(WPMP. NO: 19055 OF 2008)

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 to direct the respondents herein to fix an early date for final hearing of the writ petition.

Counsel for the Petitioner: SRI A.V.S.LAXMI FOR M/s Dr.P.B.VIJAYA
KUMAR

Counsel for the Respondent No.1 to 4: SRI J.U.M.V.PRASAD (CENTRAL
GOVERNMENT COUNSEL)

Counsel for the Respondent No.5 to 10: NONE

WRIT PETITION NO: 14863 OF 2008

Between:

D. Venkata Rao, S/o. Sankaranarayana, Hindu, Aged about 59 years, Senior
Section Engineer, South Central Railway, R/o. Rly. Quarter No. 125, Tuni,
East Godavari District.

...PETITIONER

AND

1. The Secretary, Railway Board, (rep., Union of India), Ministry of
Railways, New Delhi.
2. The General Manager, South Central Railway, Railnilayam,
Secunderabad.
3. The Principal Chief Engineer, South Central Railway, Rail Nilayam,
Secunderabad.
4. The Chief Personnel Officer, South Central Railway, Secunderabad.

...RESPONDENTS

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 any writ, order or direction particularly one in the nature
of Certiorari calling for the records leading to passing of order dt.24-1-2007



in O.A.No.275 of 2006 of the Hon'ble Central Administrative Tribunal, Hyderabad and set aside the same and allow the O.A as prayed for extending promotion as ADEN w.e.f. the date on which juniors of the petitioner were promoted to the said post.

I.A. NO: 1 OF 2012(WPMP. NO: 46189 OF 2012)

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 to fix an early date for final hearing of the Writ Petition, since the Petitioner retired from service.

I.A. NO: 1 OF 2008(WPMP. NO: 19218 OF 2008)

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 to fix an early date for final hearing of the WP.

**Counsel for the Petitioner: SMT. A.V.S.LAXMI FOR M/s.Dr.P.B.VIJAYA
KUMAR**

**Counsel for the Respondent No.1 to 4: DIVYA DATLA (CENTRAL
GOVERNMENT COUNSEL)**

The Court made the following: ORDER

HONOURABLE SRI JUSTICE RAVI NATH TILHARI

HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NOS.14743 & 14863 of 2008

COMMON ORDER:

On 10.07.2024, the following common order was passed:

"Dr. P. B. Vijay Kumar, learned Senior Advocate, assisted by Sri K. R. S. Prakash Rao, learned counsel for the petitioner submits that the controversy as involved in the present petition is squarely covered by the judgment of the Telangana High Court in the case of *V. Venkateswara Rao and another vs. The Secretary, Railway Board and others*¹.

2. Sri J. U. M. V. Prasad, learned Central Government Counsel for the respondents prays for time to go through the judgment.

3. List on 18.07.2024."

2. Sri J.U.M.V.Prasad, learned counsel for the Central Government submits that the matter is squarely covered by the judgment of the Telangana High Court in the case of *V.Venkateswara Rao and another v. The Secretary, Railway Board and others*.

3. The petitioners have already attained the age of superannuation. The selection Committee has not recommended the case of the petitioners for selection and consequently, there was no question of giving direction to the respondents to consider the case of the petitioners for selection.

¹ W.P.No.20812 of 2007, decided on 19.07.2022

4. In view of the aforesaid submissions advanced that the matter is squarely covered, these Writ Petitions are also dismissed.

No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, shall also stand dismissed.

//TRUE COPY//

SD/- G. HELA NAIDU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. One CC to SRI P.B.VIJAYA KUMAR, Advocate [OPUC]
2. One CC to SRI J.U.M.V.PRASAD (CENTRAL GOVERNMENT COUNSEL) Advocate [OPUC]
3. One CC to SRI DIVYA DATLA (CENTRAL GOVERNMENT COUNSEL) Advocate [OPUC]
4. Two C.D Copies,

MBT

HIGH COURT

DATED:18/07/2024

ORDER

WP.No.14743 and 14863 of 2008



DISMISSING THE W.P
AS INFRUCTUOUS
WITHOUT COSTS