

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

**WEDNESDAY, THE TWENTY EIGHTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR**



PRESENT

HONOURABLE THE CHIEF JUSTICE SRI DHIRAJ SINGH THAKUR

AND

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WP(PIL) NO: 256 OF 2018

Between:

E.Lakshmi Tirupatamma, D/o. Srinivasa Rao, Aged about 28 years, Occ. Tailor, R/o.D.No.8-19/1-399B, 2nd Lane, Arundhati Nagar, Kothapet, Guntur-522001. Mobile. 8886512812, PAN No.ACWPE6325L, Unique Identity Card No.549746929431 E-mail. lakshmisck-gmail.com

... Petitioner

AND

1. The South Central Railway, Guntur Division, Rep. by its Assistant Divisional Engineer, ADEN/WEST, Guntur-522002, Andhra Pradesh.
2. The Assistant Divisional Engineer, ADEN/NORTH, South Central Railway, Guntur Division, Guntur-522002, Andhra Pradesh.
3. The Divisional Engineer, WEST, South Central Railway, Guntur Division, Office of DRM, Work Bench, Rail Vikas Bhavan, Pattabhipuram, Guntur-522006, Andhra Pradesh.

4. The Divisional Engineer, NORTH, South Central Railway, Guntur Division, Office of DRM, Work Bench, Rail Vikas Bhavan, Pattabhipuram, Guntur-522006, Andhra Pradesh.
5. The Senior Divisional Personal Officer, South Central Railway, Guntur Division, Office of DRM, Work Bench, Rail Vikas Bhavan, Pattabhipuram, Guntur-522006, Andhra Pradesh.
6. The Assistant Divisional Railway Manager, South Central Railway, Guntur Division, Office of DRM, Work Bench, Rail Vikas Bhavan, Pattabhipuram, Guntur-522006, Andhra Pradesh.
7. The Divisional Railway Manager, South Central Railway, Guntur Division, Office of DRM, Work Bench, Rail Vikas Bhavan, Pattabhipuram, Guntur-522006, Andhra Pradesh.
8. The Chief Personal Officer, South Central Railway, 4th Floor, S.D.Road, Rail Nilayam, Secunderabad-500071.
9. The General Manager, South Central Railway, S.D.Road, Rail Nilayam, Secunderabad-500071.
10. The Railway Board, Rep. by its Chairman, Rail Bhavan, Raisina Marg, New Delhi-110011.
11. The Chief Medical Superintendent, South Central Railway, Railway Hospital, Guntur Division, Guntur Courts Road, Guntur-522004, Andhra Pradesh.
12. The Chief Medical Director, South Central Railway, Rail Nilayam, Secunderabad.
13. The Sub-Registrar, Sub-Registrar Office, Guntur-522004, Andhra Pradesh.
14. The District Registrar, Guntur District, Guntur-522004, Andhra Pradesh.

15. The Commissioner and Inspector General, Registration and Stamps, D.No.5-59, A Block, R.K.Spring Valley Apartments, Eedupugollu, Vijayawada, Krishna District, Andhra Pradesh.
16. The Guntur Municipal Corporation, Rep. by its Commissioner, Guntur-522001, Andhra Pradesh.
17. The Nangara Bheri Lamabadi, Hakkula Porata Samithi with Fake Reg.No.9847/2000, Rep. by its President, Ramavath Krishna Naik S/o Gopa Naik, Aged about 48 Years, Occ.BTC, South Central Railway, ADEN/WEST, Brodipet, 5/1, Municipal Complex, Guntur-522002, Andhra Pradesh.
18. The Assistant Divisional Engineer, ADEN/NORTH, South Central Railway, Guntur Division, Guntur-522002, Andhra Pradesh.
19. Ramavath Krishna Naik, S/o Gopa Naik, Aged about 48 Years, Occ.BTC, South Central Railway, ADEN/WEST, Brodipet, 5/1, Municipal Complex, Guntur-522002, Andhra Pradesh and Self styled President of Nangara Bheri Lamabadi Hakkula Porata Samithi with Fake Reg.No.9847/2000.
20. Vankadothu Krishna Naik, S/o Somala Naik, Aged about 48 Years, Occ.Painter, South Central Railway, ADEN/NORTH, Brodipet, 5/1, Municipal Complex, Guntur-522002, Andhra Pradesh and Self Styled Treasurer of Nangara Bheri Lamabadi Hakkula Porata Samithi with Fake Reg.No.9847/2000.

... Respondent

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ or order or direction made particularly one in the nature of writ of mandamus declaring the inaction of the Respondent No. 1 to 10, initiating action against Respondent No.

18 and 19 for floating fake Caste Association, i.e. Respondent No.17, to blackmail the public, and obtaining leave on the ground that they are sick and unfit, to facilitate themselves to lodge false complaints against the father of the Petitioner and others and giving statements in the print and electronic media while actually on duty, as illegal and contrary the Railway Servants Conduct Rules, 1966 and declaring the inaction of the Respondent No.1 to 10 initiating any action against the Respondent No.11 and 12 i.e. the Railway Doctors for issuing artificial sick and unfit certificates facilitating the Respondent No.18 to go on leave misusing the medical Certificates to foist false criminal cases as illegal and arbitrary and further declaring the action of the Respondent No.13 and 14 registering false Lease Deeds in favour of the fake association i.e. Respondent No.17 as illegal ,arbitrary and contrary to the provisions of the Indian Registration Act and Indian Penal Code and declaring the action of the Respondent No.16 i.e. the Municipal Corporation giving State accommodation to enable the fake Respondent No.17 to be run by the respondent No.18 and 19, in its Shop.No.2100006/3, without collecting rents, depriving the needy unemployed to get the accommodation as illegal and arbitrary and it is further consequentially prayed that this Hon'ble Court may be pleased to direct Respondent No. 1 to 10 to initiate Departmental and Criminal against Respondent No.11, 12, 17, 18 and 19, to direct Respondent No.13 to 14 to file criminal cases against the Respondent No.17 to 19 for getting the said fake registration of Lease Deeds effected in their favour in respect of the said property i.e Shop.No.2100006/3, and to direct the respondent No.15 to initiate Criminal Proceedings for cheating, and Civil Money Recovery Proceedings for accumulated rents against the Respondent No. 17 to 19 and directing the Respondent No. 1 to 15 to derecognize the Respondent No.17 fake Association and not to entertain it either through the Respondent No.18 and 19 or through any other office bearers.

IA NO: 1 OF 2018

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 forthwith direct the Respondent No.1 to 16 to initiate Major Penalty Departmental Proceedings, Criminal and Civil Money Recovery Proceedings against the Respondent No. 17 to 19 depending upon the respective culpabilities of the Respondent No.18 and 19 in their respective departments.

Counsel for the Petitioner: SRI. RAJENDRA BUSSA

Counsel for the Respondents: JUPUDI V K YAGNADUTT(CENTRAL GOVERNMENT COUNSEL)

The Court made the following:



WP(PIL.) NO: 256 of 2018

E. Lakshmi Tirupatamma

...Petitioner

Vs.

The South Central Railway, Guntur Division,
Rep., by its Assistant Divisional Engineer, ADEN/WEST,
Guntur-522002, Andhra Pradesh and others

...Respondents

Mr. Rajendra Bussa, Advocate for Petitioner.

Mr. T. Vishnu Teja (Special Government Pleader). Advocate for Respondent
Nos.13 to 16.

**CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE RAVI CHEEMALAPATI**

DATE : 28th August, 2024**P.C.:**

The present petition has been filed purportedly in public interest highlighting that shop No.6 in 5/1 shopping complex, Brodipet, Guntur, which was allotted by the Guntur Municipal Corporation (respondent No 16), to Nangara Bheri Lambadi Hakkula Porata Samithi (respondent No.17) could not have been so allotted inasmuch as it is stated that the registration certificate produced by private respondent Nos.18 & 19 was fake and that there was no registration at all of the said Samithi much less was the certificate so produced for seeking allotment a genuine one.

2. Be that as it may, we dispose of this WP(PIL) with a direction to the Commissioner, Guntur Municipal Corporation (respondent No.16), to look into the whole issue and check the correctness, authenticity and veracity of the certificate of registration of Nangara Bheri Lambadi Hakkula Porata Samithi and in case the certificate of registration is found to be not genuine, then appropriate steps be taken in regard to the allotment so made in accordance with law, after giving the concerned an opportunity of being heard. No order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- SHAIK MOHD. RAFI
ASSISTANT REGISTRAR

//TRUE COPY//

NB
SECTION OFFICER

To,

1. The Assistant Divisional Engineer, South Central Railway, Guntur Division, ADEN/WEST, Guntur-522002, Andhra Pradesh.
2. The Assistant Divisional Engineer, ADEN/NORTH, South Central Railway, Guntur Division, Guntur-522002, Andhra Pradesh.
3. The Divisional Engineer, WEST, South Central Railway, Guntur Division, Office of DRM, Work Bench, Rail Vikas Bhavan, Pattabhipuram, Guntur-522006, Andhra Pradesh.
4. The Divisional Engineer, NORTH, South Central Railway, Guntur Division, Office of DRM, Work Bench, Rail Vikas Bhavan, Pattabhipuram, Guntur-522006, Andhra Pradesh.
5. The Senior Divisional Personal Officer, South Central Railway, Guntur Division, Office of DRM, Work Bench, Rail Vikas Bhavan, Pattabhipuram, Guntur-522006, Andhra Pradesh.

6. The Assistant Divisional Railway Manager, South Central Railway, Guntur Division, Office of DRM, Work Bench, Rail Vikas Bhavan, Pattabhipuram, Guntur-522006, Andhra Pradesh.
7. The Divisional Railway Manager, South Central Railway, Guntur Division, Office of DRM, Work Bench, Rail Vikas Bhavan, Pattabhipuram, Guntur-522006, Andhra Pradesh.
8. The Chief Personal Officer, South Central Railway, 4th Floor, S.D.Road, Rail Nilayam, Secunderabad-500071.
9. The General Manager, South Central Railway, S.D.Road, Rail Nilayam, Secunderabad-500071.
10. The Chairman, Railway Board, Rail Bhavan, Raisina Marg, New Delhi-110011.
11. The Chief Medical Superintendent, South Central Railway, Railway Hospital, Guntur Division, Guntur Courts Road, Guntur-522004, Andhra Pradesh.
12. The Chief Medical Director, South Central Railway, Rail Nilayam, Secunderabad.
13. The Sub-Registrar, Sub-Registrar Office, Guntur-522004, Andhra Pradesh.
14. The District Registrar, Guntur District, Guntur-522004, Andhra Pradesh.
15. The Commissioner and Inspector General, Registration and Stamps, D.No.5-59, A Block, R.K.Spring Valley Apartments, Eedupugollu, Vijayawada, Krishna District, Andhra Pradesh.
16. The Commissioner, Guntur Municipal Corporation, Guntur-522001, Andhra Pradesh.

17. The President, Nangara Bheri Lamabadi Hakkula Porata Samithi with Fake Reg.No.9847/2000, Rep. by its President, Ramavath Krishna Naik S/o Gopa Naik, Aged about 48 Years, Occ.BTC, South Central Railway, ADEN/WEST, Brodipet, 5/1, Municipal Complex, Guntur-522002, Andhra Pradesh.
18. The Assistant Divisional Engineer, ADEN/NORTH, South Central Railway, Guntur Division, Guntur-522002, Andhra Pradesh.
19. One CC to SRI RAJENDRA BUSSA Advocate [OPUC]
20. One CC to SRI JUPUDI V K YAGNADUTT(CENTRAL GOVERNMENT COUNSEL) Advocate [OPUC]
21. Three CD Copies.

MAS

HIGH COURT

DATED:28/08/2024

ORDER

WP(PIL).No.256 of 2018



DISPOSING THE WRIT PETITION WITHOUT COSTS.