APHC010181522022

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3330]
(Special Original Jurisdiction)

WEDNESDAY, THE 7th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 14463/2022

Between:

1. G.D. CHETTY, S/O G. KRISHNAMURTHY CHETTY, PERUMALLAPALLE VILLAGE, THUMBA KUPPAM POST BANGARUPALYAM MANDAL, CHITTOOR DISTRICT

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, TRANSPORT DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI.

2. ANDHRA PRADESH STATE ROAD TRANSPORT CORPORATION, REP. BY ITS MANAGING DIRECTOR, RTC HOUSE, 1ST FLOOR, NTR ADMINISTRATION BLOCK, PANDIT NEHRU BUS STATION, VIJAYAWADA-520013, KRISHNA DISTRICT

3. THE CHIEF MEDICAL OFFICER, , APSRTC, CBS DISPENSARY PANDIT NEHRU BUS STATION, VIJAYAWADA-520013, KRISHNA DISTRICT

4. THE DEPOT MANAGER, APSRTC DEPOT, PALAMANERU, CHITTOOR DISTRICT

...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 tomay be pleased to a. issue an order writ or direction more particularly in the nature of Writ of Mandamus declaring the action of the Respondents, more particularly the Respondent No. 3 in declaring the Petitioner as medically unfit for any job without properly conducting medical examinations and not considering the request of the Petitioner for reversion as illegal, arbitrary, borne out of non-application of mind and violative of Regulation 6A of the APSRTC Employees' (Service) Regulations, 1964, Articles 19 and 21 of the Indian Constitution and direct the Respondents to conduct medical examination on the Petitioner. Consequently direct the Respondents to provide alternative employment to the Petitioner, as they have declared him medically unfit without conducting medical examination and pass any other direction that this Honourable Court may deem fit and proper in the facts and circumstances of the present case in the interest of justice.

IA NO: 1 OF 2022

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 may be pleased to direct the Respondents to conduct medical examination on the.Petitioner for ascertaining his fitness for the purpose of employment and pass any other direction or order(s) that this Honourable Court may deem fit and proper in the facts and circumstances of the present case in the interest of justice.

Counsel for the Petitioner:

1. VARUN BYREDDY

Counsel for the Respondent(S):

1. ARAVALA RAMA RAO(SC FOR APSRTC KKAC)

2. GP FOR TRANSPORT

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.14463 OF 2022

ORDER:

The petitioner filed this writ petition aggrieved by the action of the respondents in not providing alternative employment to the petitioner and to declare the action of the respondents in declaring the petitioner medically unfit for any job without properly conducting the medical examination.

2. The learned counsel for the respondents submits that as per Regulation 6-A of the Andhra Pradesh State Road Transport Corporation (APSRTC) Employees' Service Regulations, 1969, certain additional monetary benefits were provided for the persons, who have been retired on medical grounds. Pursuant to taking over of Andhra Pradesh State Road Transport Corporation (Absorption of Employees into Government Service) Act, 2019 (Act 36 of 2019), the Regulations are no longer in vogue as employees are governed by the Rules framed for the State Government Employees. In the Rules framed for State Government Employees, there is no provision akin to Regulation 6-A of the Service Regulations referred above.

3. The learned Standing Counsel appearing for APSRTC stated that the Government had issued G.O.Ms.No.58, Transport, Roads and

Building (PTD.1) Department, dated 26.12.2025 reviving the additional monetary compensation for individuals who have been retired on medical grounds. The relevant portion of the said G.O., reads as under;

> *"8. In pursuance of the above orders of the Hon'ble High Court, based on the detailed deliberations and also after careful examination of the proposal of the Commissioner, Public Transport Department in the letter 8th read above, and taking into account (i) the welfare of medically unfit employees, (ii) the organizational operational requirements, and (iii) the statutory obligations under the RPWD Act, 2016 and Public Safety, Government hereby issue the following orders for dealing with the cases of medically invalidated drivers, conductors and other staff in APPTD who were retired on medical grounds after 01.01.2020 i.e., absorption of APSRTC employees into Government:*
>
> *A) In case of Employees found medically unfit, falling under the disabilities/diseases other than 21 specified disabilities:*
>
> *i. To retire the employees who are found medically unfit as per APSRTC Medical standards, for the medical conditions other than the 21 disabilities specified in the Schedule to the Section 2(zc) of RPwD Act, 2016. Such employees shall be paid Monetary Compensation.*
>
> *a) as per Regulation 6(A) 5(b) of APSRTC Employees' (Service) Regulations to the Drivers; and*
>
> *b) as per Regulation 6(A) 5(a) of APSRTC Employees' (Service) Regulations to other categories of employees.*

B) In case of Employees found medically unfit, falling under the 21 disabilities specified in the RPWD Act 2016:

(i) To provide alternative Posts in the cadres of (i) Conductor (II) Record Tracer (iii) Ass. Mechanic/Shramik in AP Public Transport Department (APPTD), Subject to fulfilling the eligibility criteria, physical and medical standards prescribed for such alternative posts and availability of vacancies.

(ii) If they are found unfit for the alternative posts offered in APPTD, they may be provided alternative posts in other Government Departments by the District Collectors.

(iii) If they are found unfit for the alternative posts offered by the District Collectors in other Government Departments or express unwillingness to take up any of the alternative posts either in APPTD or in other Government departments, they shall be retired from service with payment of the prescribed monetary compensation

a) *as per Regulation 6(A) 5(b) of APSRTC Employees' (Service) Regulations to the Drivers, and*

b) *as per Regulation 6(A) 5(a) of APSRTC Employees' (Service) Regulations to other categories of employees.*

c) *To continue the existing system of Periodical Medical Examinations (PME) to assess the suitability of employees for their respective posts as per APSRTC Medical Standards and to authorize APSRTC (APPTD) Medical Officers/Medical Board to certify their medical fitness or unfitness based on the PME result.*

d) To implement the above procedure for all the AP Public Transport Department employees, including those who were already declared medically unfit and retired from service w.e.f., 01.01.2020"

4. Learned counsel appearing for the respondents would submit that the State Government has issued G.O.Ms.No.58, Transport, Roads and Buildings (PTD.1) Department, dated 26.12.2025, according to the said G.O., the case of the petitioner will be considered, if the petitioner does not fall under disabilities specified under the Rights of Persons with Disabilities (RPwD) Act, 2016 (hereinafter referred to as RPwD Act, 2016. If the petitioner falls under any of the 21 categories, the petitioner will be paid additional compensation. If the petitioner files a representation before the respondents, the authorities consider the same and pass appropriate orders. And represented before this Court to direct the petitioner to file an application before the authorities and the same will be considered in terms of the G.O.Ms.No.58, Transport, Roads and Buildings (PTD.1) Department, dated 26.12.2025 and also placed reliance on the common order of this Court in W.P.No.2937 of 2023 and batch.

5. Therefore, the present Writ Petition is disposed of directing the petitioner herein to file an application before the authorities, basing upon the G.O.Ms.58, Transport, Roads and Buildings (PTD.1) Department. Dated 26.12.2025, within a period of four weeks from the date of receipt

of the order. Upon filing such application, the respondents are directed to examine, if the petitioner does not fall under any of the specified disabilities in the schedule appended to the RPwD Act, 2016, the petitioner's case for the alternative employment may consider. Needless to say, the entire process shall be completed within a period of two months from the date of filing of application. There shall be no order as to costs.

As a sequel, interlocutory applications, if any, pending in this Writ Petition shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 07.10.2026
RMD

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.14463 OF 2022

Date: 07.10.2026

RMD