

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI  
(Special Original Jurisdiction)

FRIDAY, THE FIFTEENTH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY THREE

: PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI  
WRIT PETITION NO: 12528 OF 2019



**Between:**

Smt. G.Amuruthavardhani, W/o. R.N.S.Sankerjee, Aged 29 Years, Occ: FMR employee R/o. 22-2-21, Veerabhadrapuram, Old Post Office Street, Rajahmundry-533105, East Godavari district.

**Petitioner**

**AND**

1. The State of Andhra Pradesh., Rep. by its Secretary to Government Cooperation Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Aryapuram Co-operative Urban Bank Ltd., Aryapuram, Rajamahendravaram-533104, Rep. by its Chairman
3. The Secretary/CEO, The Aryapuram Co-operative Urban Bank Ltd., Aryapuram, Rajamahendravaram-533104,

**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 a Writ of Mandamus declaring the order of dismissal of petitioner from service passed vide Board Resolution No.161/2 dated 12.10.2018 by the 2<sup>nd</sup> and 3<sup>rd</sup> respondents as illegal, arbitrary and violative of Principles of Natural Justice read with Articles 14 and 16 of the Constitution of India and consequently set aside the same and further direct the respondents 2 and 3 to reinstate the petitioner's services in 2<sup>nd</sup> respondent Bank.

**IA NO: 1 OF 2019**

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 suspend the order of dismissal from services of petitioner in the 2<sup>nd</sup> Respondent Bank vide Board Resolution No.161/2 dated 12.10.2018 issued by the 3<sup>rd</sup> respondent herein, and pass, Pending disposal of WP No.12528 of 2019, on the file of the High Court.

**IA NO: 1 OF 2023**

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 2 and 3 to compensate me financially from 12-10-2018 till date Rs.75,00,000/- (Seventy-Five Lacs) for depriving me from my hard earned educational qualification certificates, lost job opportunities and Lost Livelihood, Pending disposal of WP No.12528 of 2019, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri V.Ravindhar

learned counsel for the petitioner and Sri T.V.S Prabhakar Rao, Counsel for respondent Nos.2 & 3, GP for Cooperation for the Respondent No.1, the Court made the following

## ORDER

1. "Heard Sri V.Ravindhar, learned counsel appearing for the petitioner and Sri T.V.S Prabhakar Rao appearing on behalf of respondent No.2/Aryapuram Co-operative Urban Bank Limited.
2. This petition was filed challenging the order of dismissal of the petitioner from services by the Board's resolution dated 12.10.2018 with further direction to the respondents to reinstate the petitioner into service.
3. By means of I.A.No.1/2023, learned counsel for the petitioner submits that the petitioner's original educational documents have not been returned. Then legal notice was given to that effect.
4. In reply from the respondent No.2 to the petitioner's legal notice, it has been informed that the petitioner had taken loan from Aryapuram Co-operative Urban Bank Limited for an amount of Rs.2,00,000/- (Rupees Two Lakhs Only), which has not been repaid. The petitioner was directed to be present personally to receive the documents once she repays the loan with interest.
5. The reply letter of the respondent No.2 is annexed along with I.A.No.1 of 2023.
6. Learned counsel for the petitioner submits that the educational documents have no connection with the grant of loan.
7. On 01.09.2023, this Court passed the following order:  
*"Learned counsel for the petitioner submits that this petition was filed challenging the order of dismissal from service of the petitioner.  
2.He further submits that he has filed I.A.No.1 of 2023 for return of the petitioner's educational certificates, along with some other prayer. He submits that the petitioner's documents have not been returned for the last 5 years.  
3.Learned counsel for the 2<sup>nd</sup> respondent-Bank prays for time to seek instructions and file objections, if any, before the next date.  
4.Post on 15.09.2023."*
8. Any objection to I.A.No.1 of 2023 has not been filed.

9. Post on 27.09.2023, on which date, the respondent No.2 shall appear personally before this Court along with the educational documents of the petitioner. He shall also explain;

(a) Under which provision of law, the petitioner's educational documents, after dismissal of the petitioner from services, could be withheld and

(b) For non-repayment of loan, if the petitioner's educational documents could be withheld?."

Sd/- SK. MD. RAFI  
ASSISTANT REGISTRAR

//TRUE COPY//

For A

SECTION OFFICER

To,

1. The Chairman, Aryapuram Co-operative Urban Bank Ltd., Aryapuram, Rajamahendravaram-533104 (BY SPEED POST)
2. The Secretary to Government Cooperation Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
3. The Secretary/CEO, The Aryapuram Co-operative Urban Bank Ltd., Aryapuram, Rajamahendravaram-533104 ( 2 & 3 by RPAD)
4. One CC to Sri V.Ravindhar Advocate [OPUC]
5. Two CCs to GP for Cooperation, High Court Of Andhra Pradesh. [OUT]
6. One CC to Sri T.V.S Prabhakar Rao Advocate [OPUC]
7. One spare copy

RVK

HIGH COURT

RNTJ

DATED:15/09/2023

POST ON 27.09.2023

ORDER

WP.No.12528 of 2019

APPEARANCE

