

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI —
(SPECIAL ORIGINAL JURISDICTION) —

WEDNESDAY, THE NINETEENTH DAY OF JANUARY, —
TWO THOUSAND AND TWENTY TWO —

:PRESENT: —

HONOURABLE THE CHIEF JUSTICE PRASHANT KUMAR MISHRA —
AND —

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA —
WRIT PETITION NO: 1297 OF 2022 —

IN RE...

Extension of interim orders in view of current wave of Covid -19 Pandemic —

AND

1. State of Andhra Pradesh, rep. by its Chief Secretary, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. Union of India, Rep by its Secretary, Home Affairs, New Delhi.

...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 grant a writ, order on direction in the nature of Writ of Mandamus to the respondents for extension of interim orders / directions issued by the High Courts, Courts / Tribunals, which are Subordinate to the High Court, during the 3rd wave of Covid-19 period particularly of Omicron variant, considering the Notifications dated 10-01-2022 issued by the High Court notifying that in view of the alarming rise of Covid -19 cases, including Omicron variant, from 17.01.2022, the functioning of the High Court and the Courts/ Tribunals subordinate to it shall be through virtual mode only.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SUO MOTO for the Petitioner and the Advocate General, the Court made the following. —

ORDER:

“This suo motu writ petition has been registered to meet the situation arising out of outbreak of 3rd wave of Covid-19 pandemic and judicial functioning of the courts through video conferencing.

On the earlier occasion, this Court vide order dated 26.03.2020 in Suo motu W.P.No.8130 of 2020 issued certain interim directions for a period of one month and the same were extended from time to time and thereafter, on 13.08.2020, the proceedings in Suo motu W.P.No.8130 of 2020 were closed.

During second wave of Covid-19 pandemic, another W.P.No.9254 of 2021 was registered suo motu and similar directions were issued. However, vide order dated 22.10.2021, again the proceedings in Suo. motu W.P.No.9254 of 2021 were closed extending the interim orders passed earlier till 15.11.2021. —

On account of the present situation arising out of outbreak of 3rd wave of Covid-19 pandemic, judicial functioning of the High Court and the Subordinate Courts in the State of Andhra Pradesh, including the Tribunals and Labour Courts working under the control of the High Court, has been directed to be conducted through virtual mode. —

It is noticed that in the present situation, it is difficult for the parties in approaching the Courts immediately when the period of interim order would expire. Considering the same and considering that the judicial functioning of the Courts is now being conducted through virtual mode, we deem it appropriate that the interim orders passed by this Court and the Subordinate Courts in all matters should be extended as it was done on the earlier occasions.

Having regard to the prevailing situation, it is directed that in all matters wherein interim orders passed by this Court and Courts/Tribunals which are subordinate to this Court, are subsisting as on 17.01.2022, such orders shall unconditionally be extended till 22.02.2022, unless specifically dealt with by any judicial order to the contrary.

All parties affected by the continuation of the interim orders, will, however, be at liberty to apply for vacating such orders, with due notice to the parties in whose favour such interim orders have been passed.

Registry will take necessary steps for communication of this order to the concerned Courts/Tribunals.

Registry will list this case on 21.02.2022. On that date, the Court will consider continuation or otherwise of this order beyond 22.02.2022."

//TRUE COPY//

Sd/-M Prabhakar Rao
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Chief Secretary, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. The Chief Secretary, State of Telangana, Secretariat, Hyderabad
3. The Secretary, Union of India, Home Affairs, New Delhi.
4. The Executive Chairman, State Legal Services Authority, Vijayawada, Krishna District.
5. The Executive Chairman, High Court Legal Services Committee, Amaravati.
6. The Principal Secretary, Home Department, Secretariat, Velagapudi, Guntur District.
7. The Principal Secretary, Medical and Health and Family Welfare, Secretariat, Velagapudi, Guntur District.
8. The Director General of Prisons, A.P., Vijayawada, Krishna District.
9. The Director General of Police, Mangalagiri, Amaravati A.P.,
10. The Port Officer, Visakhapatnam Port Authority, Visakhapatnam, Visakhapatnam District.
11. The Port Officer, Kakinada Port Authority, Kakinada, East Godavari District.
12. The Port Officer, Machilipatnam Port Authority, Krishna District.
13. The Port Officer, Kalingapatnam Port Authority, Srikakulam District.
14. The Port Officer, Krishnapatnam Port Authority, Nellore, SPSR Nellore District.
15. The Registrar (Judicial), High Court of A.P., at Amaravati
16. The Registrar General, High Court of A.P., at Amaravati
17. The Director, Social Welfare, Velagapudi, Amaravati, A.P,
18. Two CCs to the Advocate General, High Court of A.P.,(OUT)
19. Two CCs to Sri P. Sudhakar Reddy, Addl. Advocate General, High Court of A.P., (OUT)
20. Two CCs to GP for Home, High Court of A.P., at Amaravati (OUT)
21. Two CCs to GP for Medical and Health, High Court of A.P., at Amaravati (OUT)
22. Two CCs to GP for Municipal Administration, High Court of A.P., at Amaravati (OUT)
23. Sri C. Sumon, Special Government Pleader, High Court of A.P.,(OUT)
24. Two CCs to G.P. for Panchayat Raj & Rural Development, High Court of A.P.,(OUT)
25. The Chief Secretary, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District, State of Andhra Pradesh.
26. The Secretary, Union of India, Home Affairs, New Delhi. (Addresses 1 & 2 by RPAD)
27. One CC to the Advocate General [OPUC]
28. One spare copy

HIGH COURT

HCJ
&
NJSJ

DATED:19/01/2022

NOTE: LIST THIS CASE ON 21.02.2022

ORDER

WP.No.1297 of 2022

