

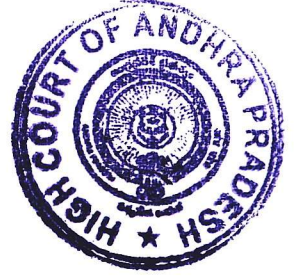


**IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)**

**MONDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HON'BLE SRI JUSTICE CHALLA GUNARANJAN



WRIT PETITION NO: 6283 OF 2025

Between:

Velpula Dhanunjaya, S/o Late Nagendrappa, aged about 52 Years, Working as Assistant Executive Officer, Sri Varasiddhi Vinayaka Swamy Vari Temple, Kanipakam, Chittoor District

...PETITIONER

AND

1. The State of Andhra Pradesh, rep., by its Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravati Capital City Guntur District.
2. The Commissioner, Endowments Department, Government of Andhra Pradesh Gollapudi, NTR District

...RESPONDENTS

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 an appropriate Writ, Order or Direction more particularly in the nature of Writ of Mandamus declaring the action of the Respondents in not considering the case of the Petitioner for promotion to the post of Assistant Commissioner Endowments, on the ground that C.C.No.14/2022 in Crime No.10/RCT-KUT/2018 on the file of the Special Judge for Trial of SPE and ACB Cases at Kurnool the provisions of the Prevention of Corruption Act, is pending though the petitioner is senior in the cadre of Assistant Executive Officer and otherwise eligible and qualified, as arbitrary, illegal, in violation of Article 14, and 16 of the Constitution of India

and under consequently direct the Respondents to consider the case of the petitioner for promotion to the post of Assistant Commissioner, Endowments, in the light of G.O.Ms.No.257, General Administration (Ser.C) Department, Government of Andhra Pradesh, dated 10-06-1999 without reference to the pendency of C.C.No.14/2022 in Crime No.10/RCT-KUT/2018 on the file of the Special Judge for Trial of SPE and ACB Cases at Kurnool.

IA NO: 1 OF 2025

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased direct the Respondents to consider the case of the petitioner for promotion to the post of Assistant Commissioner, Endowments, in the light of G.O.Ms.No.257 General Administration (Ser.C) Department, Government of Andhra Pradesh, dated 10-06-1999 without reference to the pendency of C.C.No.14/2022 in Crime No.10/RCT-KUT/2018 on the file of the Special Judge for Trial of SPE & ACB Cases at Kurnool, pending General disposal of the above writ petition.

Counsel for the Petitioner: SRI SUBBA RAO KORRAPATI

Counsel for the Respondent No.1: GP FOR SERVICES I

Counsel for the Respondent No.2: GP FOR SERVICES II

The Court made the following: ORDER



APHC010114102025



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

[3506]

MONDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN

WRIT PETITION NO: 6283/2025

Between:

Velpula Dhanunjaya

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.SUBBA RAO KORRAPATI

Counsel for the Respondent(S):

1.GP FOR SERVICES I

2.GP FOR SERVICES II

The Court made the following order:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief/s:-

“...to issue an appropriate Writ, Order or Direction more particularly in the nature of Writ of Mandamus declaring the action of the Respondents in not considering the case of the Petitioner for promotion to the post of Assistant Commissioner Endowments, on the ground that C.C.No.14/2022 in Crime No.10/RCT-KUT/2018 on the file of the Special Judge for Trial of SPE and ACB Cases at Kurnool, under the provisions of the Prevention of Corruption Act, is pending though the petitioner is senior in the cadre of Assistant Executive Officer and otherwise eligible and qualified, as arbitrary, illegal, in violation of Article 14, and 16 of the Constitution of India and consequently direct the Respondents to consider the case of the petitioner for promotion to the post of Assistant Commissioner, Endowments, in the light of G.O.Ms.No.257, General Administration (Ser.C) Department, Government of Andhra Pradesh, dated 10-06-1999 without reference to the pendency of C.C.No.14/2022 in Crime No.10/RCT-KUT/2018 on the file of the Special Judge for Trial of SPE and ACB Cases at Kurnool, pass such other order or orders....”

2. Heard Sri Subba Rao Korrapati, learned counsel for the petitioner and learned Assistant Government Pleader for Services-I for respondents.

3. The petitioner has been working as an Assistant Executive Officer since 2010. A crime was registered against him *vide* Crime No.10/RCT-KUR/2018 on 20.09.2018, for the offence punishable under Section 7 of the Prevention of Corruption Act. He was placed under suspension *vide* proceedings in Rc.No.A2/1138/2018 dated 24.09.2018 and later reinstated into service by proceedings



No.ENDW0CEVG(ACBC)/3/2019-VIG-IV dated 03.12.2019. A charge sheet has been filed against the petitioner and the matter is pending as C.C.No.14 of 2022 on the file of learned Special Judge for Trial of SPE & ACB Cases at Kurnool. In view of pendency of criminal case, and delay in conclusion of criminal proceedings, the petitioner's case is not being considered for promotion. Even the persons, who are juniors to him, have already been promoted.

4. Learned counsel for the petitioner submits that he has been falsely implicated in the aforesaid criminal case and pendency of the same, cannot be an impediment in considering the case of the petitioner for promotion in terms of G.O.Ms.No.257, General Administration (Ser.C) Department, Government of Andhra Pradesh, dated 10.06.1999. Learned counsel further contends that as per the final seniority list prepared *vide* memo in Rc.No.E1/52963/2009-2, dated 14.12.2018, the name of the petitioner stands at Serial No.3 and whereas, the person at Serial No.7, though he is junior to the petitioner, was promoted.

5. Learned Assistant Government Pleader for Services-I would fairly submit that the case of the petitioner will be considered, if he is in the zone of consideration in terms of G.O.Ms.No.257 General Administration (SER.C) Department, dated 10.06.1999.

6. Given the facts and circumstances of the case, without touching the merits of the matter, the Writ Petition is disposed of, with the consent of both the learned counsel, at the stage of admission, directing the respondents to consider the petitioner's case for promotion, if the petitioner's case is in the zone of consideration for promotion to the post of Assistant Commissioner, Endowments, in terms of G.O.Ms.No.257 General Administration (SER.C) Department, dated 10.06.1999. There shall be no order as to costs.

As a sequel, miscellaneous petitions, pending if any, shall stand closed.

//TRUE COPY//

**Sd/- K. TATA RAO
DEPUTY REGISTRAR**


SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Commissioner, Endowments Department, Government of Andhra Pradesh Gollapudi, NTR District
3. One CC to Sri Subba Rao Korrapati Advocate [OPUC]
4. Two CCs to GP for Services I, High Court of Andhra Pradesh. [OUT]
5. Three CD Copies

TF

HIGH COURT

DATED:17/03/2025

ORDER

WP.No.6283 of 2025



**DISPOSING OF THE W.P. AT THE STAGE OF
ADMISSION, WITHOUT COSTS**