

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

**THURSDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN



WRIT PETITION NO: 6896 OF 2025

Between:

S.Venkataramana, S/o. Lakshminarayana, aged about 45 years, Occ: Field Assistant, Gurandi Gram Panchayat, Kothuru Mandal, Srikakulam District.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat, Velagapudi, Guntur District.
2. District Collector cum District Project Coordinator, M.G.N.R.E.G.S, Srikakulam District.
3. The Project Director, District Water Management Agency, Srikakulam District.

...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, order or direction more particularly one in the nature of writ of Mandamus declaring the orders of the 3rd respondent in his Rc.No.47/2023/E.G.S/H.R. Dt.02.12.2024 suspending temporarily the orders of 2nd respondent in his Rc.No.47/2023/E.G.S/H.R. Dt.26.11.2024 without authority and thereby discontinuing the petitioner as Field Assistant, Gurandi Grama Panchayat Kottum Mandal, Srikakulam District as illegal, unjust, arbitrary, extraneous highhanded, without jurisdiction and against the principles of natural justice and against Article 14 and 16 of the Constitution of India and consequently set aside order passed by the 3rd

respondent in his Rc.No.47/2023/E.G.S/H.R. Dt.02.12.2024 with further direction to continue the petitioner as Field Assistant Gurandi Grama Panchayat Kotturu Mandal, Srikakulam District.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the order of the 3rd respondent in his Rc.No.47/2023/E.G.S/H.R. Dt.02.12.2024 pending disposal of the above Writ Petition.

Counsel for the Petitioner : SRI L. J. VEERA REDDY

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

**Counsel for the Respondent Nos.2 & 3 : SRI M.S.R. CHANDRA MURTHY,
SC FOR MGMREGS**

The Court made the following: ORDER



IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI

[3506]

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN

WRIT PETITION NO: 6896/2025

Between:

S.venkataramana,

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.L J VEERA REDDY

Counsel for the Respondent(S):

1.GP FOR SERVICES I

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 a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the orders of the 3rd respondent in his Rc.No.47/2023/E.G.S/H.R. Dt.02.12.2024 suspending temporarily the orders of 2nd respondent in his Rc.No.47/2023/E.G.S/H.R. Dt.26.11.2024 without authority and thereby discontinuing the petitioner as Field Assistant, Gurandi Grama Panchayat, Kottum Mandal, Srikakulam District, as illegal, unjust, arbitrary, extraneous highhanded, without jurisdiction and against the principles of natural justice and against Articles 14 and 16 of the Constitution of India and consequently set aside order passed by the 3rd respondent in his Rc.No.47/2023/E.G.S/H.R. Dt.02.12.2024 with further direction to continue the petitioner as Field Assistant, Gurandi Grama Panchayat, Kotturu Mandal, Srikakulam District, and pass such other order or orders....”

2. Heard Sri L.J.Veera Reddy, learned counsel for the petitioner, learned Assistant Government Pleader for Services-I for respondent No.1 and Sri M.S.R.Chandra Murthy, learned Standing Counsel for respondent Nos.2 and 3.

3. The petitioner was appointed as Field Assistant at Gurandi Grama Panchayat, Kottum Mandal, Srikakulam District, under the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS) on 11.02.2010 and since then, he has been working over there. He was issued show cause notice dated 27.07.2023, on certain allegations, calling upon to submit explanation. After

submitting explanation on 14.08.2023, having considered the same, the 3rd respondent passed orders dated 15.12.2023 removing the petitioner from service. Aggrieved by the same, the petitioner preferred appeal before the 2nd respondent and the same came to be allowed by an order dated 26.11.2024, by which petitioner was directed to be reinstated into service. In pursuance of the same, he was reinstated. However, the 3rd respondent once again by impugned proceedings dated 02.12.2024, while referring to one of the complaint received against the petitioner, suspended the orders passed by the 2nd respondent on 26.11.2024.

4. Learned counsel for the petitioner submits that the 3rd respondent, being subordinate to 2nd respondent, is incompetent to suspend the orders passed by the 2nd respondent and the same is without jurisdiction.

5. Sri M.S.R.Chandra Murthy, learned Standing Counsel, fairly concedes that the 3rd respondent cannot exercise appellate jurisdiction, over the orders of the 2nd respondent.

6. In view of the above submissions and having considered the material on record, the order passed by the 2nd respondent dated 26.11.2024 having attained finality, the 3rd respondent has no jurisdiction to interdict with the same, even if any fresh complaint is received against the petitioner.

7. Therefore, the Writ Petition is allowed, setting aside the order Rc.No.47/2023/E.G.S./Hr. dated 02.12.2024 passed by the 3rd respondent and the petitioner is directed to be reinstated into service. However, this shall not preclude the 3rd respondent to proceed with the complaint, alleged to have been received against the petitioner, by following due process of law. There shall be no order as to costs.

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

//TRUE COPY//

Sd/- B PRASADA RAO
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj and Rural Development Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. The District Collector cum District Project Coordinator, M.G.N.R.E.G.S, Srikakulam District.
3. The Project Director, District Water Management Agency, Srikakulam District.
4. One CC to Sri L. J. Veera Reddy, Advocate [OPUC]
5. Two CCs to GP for Services I, High Court of Andhra Pradesh. [OUT]
6. One CC to Sri M.S.R. Chandra Murthy, SC for MGNREGS (OPUC)
7. Three C.D. Copies.

Cnr

HIGH COURT

DATED:20/03/2025

ORDER

WP.No.6896 of 2025



**ALLOWING THE W.P.
WITHOUT COSTS**