



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

[3208]

**TUESDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 7931/2026

Between:

1. RATNALA VENKATA VARA PRASAD, S/O LATE VENUGOPALA CHOUDARY, AGED ABOUT 50 YEARS, WORKING AS ASST PROJECT DIRECTOR HORTICULTURE, R/O FLAT NO.G-1, KALKI GANAPATI RESIDENCY, BEHIND SHIVALAYAM, NEAR R.T.C COMPLEX, SRIKAKULAMTOWN, SRIKAKULAM DISTRICT. 532001

...PETITIONER

AND

1. THE STATE OF AP, REP BY ITS SPECIAL CHIEF SECRETARY (AGRICULTURE CO-OPERATION DEPARTMENT), SECRETARIAT BUILDING, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.-522238

2. THE DIRECTOR OF HORTICULTURE AND SERICULTURE, PRIME HILL CRESTAPTS, (4TH, 5TH AND 6TH FLOORS), NH-16, SERVICE ROAD, NEAR DGP OFFICE, VADDESWAREM, ANDHRA PRADESH - 522502

...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 topleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in not considering the candidature of the petitioner for promotion to the post of Deputy Director Horticulture due to pendency of the disciplinary proceedings initiated in the year 2014 based on the allegation of disproportionate assets, subsequently Articles of charges issued vide G.O.Rt.No.800, dt.12.11.2020 after lapse of 6 years and the same was not concluded till date is illegal, arbitrary, capricious and unjust and violative of Articles 14, 16 and 21 of Constitution of India and also contrary to G.O.Ms.No.257 Administration(Services-C) Dept, dt. 10-06-1999, G.O.Ms.679, General Administration(Services-C) Dept, dt 01-11-2008 and

G.O.Ms.No.91, General Administration(Services-C) Dept, dt. 12.09.2022. Consequently, direct the Respondents to consider the Petitioner promotion to the post of Deputy Director Horticulture without reference to the charge memo interms of afore mentioned G.Os and to pass

IA NO: 1 OF 2026

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 to consider the Petitioner's promotion to the post of Deputy Director Horticulture with out reference to the departmental charges vide G.O.Rt.No.800, dt.12.11.2020 in terms of G.O.Ms.No.257, dt. 10.06.1999, G.O.Ms.679 dt.01-11-2002 and G.O.Ms.No.9 dt.22-09-2022 pending disposal of the above writ petition and to pass

Counsel for the Petitioner:

1.N A RAMACHANDRA MURTHY

Counsel for the Respondent(S):

1.GP FOR SERVICES II

The Court made the following:

ORDER:

1. This Writ Petition is filed under Article 226 of the Constitution of India seeking to declare the action of the respondents in not considering the candidature of the petitioner for promotion to the post of Deputy Director, Horticulture due to pendency of the disciplinary proceedings initiated in the year 2014 based on the allegation of disproportionate assets, and subsequently Articles of charges issued vide G.O.Rt.No.800, dated 12.11.2020, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

2. The case of the petitioner is that the respondents have not considered his case for promotion to the post of Deputy Director, Horticulture, as per his seniority, on the ground of pendency of Articles of Charges in proceedings vide G.O.Rt.No.800 dated 12.11.2020, after lapse of six years and the same was not concluded till date and in spite of the instructions issued by the Government as well as the judgment of the Hon'ble Division Bench of this Court in W.A. No. 550 of 2022, and while relying upon G.O. Ms. No. 257, GAD, despite the existence of clear vacancies, is highly illegal and arbitrary.

3. The learned counsel for the petitioner submits that, in view of the pendency of the ongoing departmental proceedings, which ought to have been completed within three months in simple cases and within six months in complicated cases, as per the time-frame prescribed in G.O. Ms. No. 679, General Administration (Services-C) Department, dated 01.11.2008, and G.O. Ms. No. 91, General Administration (Services-C) Department, dated 12.09.2022, the inordinate delay in concluding the proceedings has resulted in the petitioner being deprived of his rightful consideration for promotion.

4. Learned Assistant Government Pleader appearing for respondents that the ongoing inquiry will be completed within reasonable time, in terms of timelines prescribed by the Government in G.O.Ms.No.679, General Administration (Services-C) Department dated 01.11.2008, and in G.O.Ms.No.91, General Administration (Service-C) Department, dated 12.09.2022.

5. In view of the above observations, the respondents are directed to consider the case of the petitioner for promotion to the post of Deputy Director, Horticulture, without reference to the disciplinary proceedings in pursuance of the charge memo vide G.O.Rt.No.800 dated 12.11.2020. It is further directed that the respondents shall complete the pending enquiry within a period of three (03) months from the date of receipt of a copy of this order.

6. With the above directions, the Writ Petition is disposed of There shall be no order as to costs.

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

JUSTICE D.RAMESH

Date:07.04.2026
GK

THE HONOURABLE SRI JUSTICE D.RAMESH

50

WRIT PETITION NO:7931 of 2026

Dated:07.04.2026

GK