

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

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

:PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 8524 OF 2026



Between:

1. Ramanaboina Nagaraju, s/o Ananda Rao Aged about 48 years, r/o Marrispeta Pedaparimi Road, Tenali, Guntur District, Aadhaar. No 327140808905
2. Rudrapati Yesu Babu, s/o Rudrapati krupanandam Aged about 39 years, r/o 46-4-25, Gunadala, BH Nagar, NTR District, Aadhaar. no 651949206965

Petitioner/s

AND

1. The Union of India, Rep. by its principal Secretary (Ministry of Railways) Department, Rail Bhawan, Raisina Road, New Delhi- 110001
2. The Assistant Divisional Engineer, South central railway, Bapatla 522101
3. The Divisional Railway Manager, South Central railway, Vijayawada 520001
4. The Senior Divisional Engineer/central, South central Railways, Vijayawada-520001

Respondent/s

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 a writ in nature of MANDAMUS, or any other writ or direction, order or orders by declaring the action of 2nd and 3rd respondent in appointing the inquiry officer vide proceedings. no 571/V/DAR/RYP-TEL/Staff dated 15.12.2025 and conducting the departmental inquiry on 07.03.2026 and

further yet to on 28.03.2026, in which already a FIR was registered under the same offence under Cr. No 03/2025 under section 3(a) of RP Act, 1966 as illegal, arbitrary, contrary to law and unconstitutional, and contrary to law as the same person cannot be tried for same offence twice and consequently COMMAND the respondent authorities not to conduct the further departmental inquiry until the Cr. No 03/2025 under section 3(a) of RP Act, 1966 was decided in the court of law in the interest of justice;

IA NO: 1 OF 2026

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 to grant STAY of further inquiry initiated by the respondent official against himself and the 1st petitioner in the interest of justice, Pending disposal of WP 8524 of 2026, 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 KUNTAMUKKALA SAI SREE SANJAY Advocate for the Petitioners, Sri S S VARMA(SR PANEL COUNSEL CENT GOVT) Advocate for the Respondent Nos.1 to 4 and the Court made the following.

ORDER

Learned counsel for the petitioners submitted that charge memos were issued to the petitioners vide proceedings dated 19.11.2025. The said charges are pertaining to theft of 102 No's 60 kg rails and 99 No's of 52 kg rails from Kolanukonda Railway yard. Pertaining to the very same charges, already a crime has been registered under Crime No.3 of 2025 under Section 3(a) of RP (UP) Act, 1966 on 03.10.2025 and investigation is pending. While pending investigation, the respondents have issued the present impugned charge memos for the very same charges. Now, they are proceeding with initiation of disciplinary proceedings. The same is contrary to the observations made by the Hon'ble Apex Court in Capt. Paul Anthony v. Bharath Gold Mines Limited (1999 (3) SCC 679), wherein the Hon'ble Supreme Court has observed that the departmental

proceedings and proceedings in a criminal case can proceed simultaneously and if the charge in the criminal case against the delinquent employee is of a grave nature which involves complicated questions of law and fact, it would be desirable to stay the departmental proceedings till the conclusion of the criminal case. In this case also, as the criminal case is pending, the departmental proceedings may be stayed till conclusion of the criminal case.

Considering the above observations, there shall be stay of departmental proceedings related vide charge memo dated 19.11.2025.

List the matter after four (4) weeks.

SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

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To,

1. The Principal Secretary, Union of India, (Ministry of Railways)
Department, Rail Bhawan, Raisina Road, New Delhi- 110001.
2. The Assistant Divisional Engineer, South central railway, Bapatla
522101.
3. The Divisional Railway Manager, South Central railway, Vijayawada
520001.
4. The Senior Divisional Engineer/central, South central Railways,
Vijayawada (addressee 2 to 4 by RPAD)
5. One CC to SRI. KUNTAMUKKALA SAI SREE SANJAY Advocate
[OPUC]
6. One CC to SRI. S S VARMA(SR PANEL COUNSEL CENT
GOVT) Advocate [OPUC]
7. One spare copy

HIGH COURT

DR,J

DATED:27/04/2026

LIST THE MATTER AFTER FOUR (4) WEEKS

ORDER

WP.No.8524 of 2026

STAY

