

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

**TUESDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX**

: PRESENT:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 16019 OF 2026



Between:

Ponnada Rambabu, S/o Late Sri Gowraiah, Aged 54 years, Occ: Inspector of Boilers Tirupati, Tirupati District, AP

Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary to Government, Labour, Factories Boilers & Insurance Medical Services (IMS & VIG) Department Secretariat, Velagapudi/Amaravathi Guntur District.
2. The Director of Boilers, State of Andhra Pradesh, Vijayawada Krishna District, AP.

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 appropriate relief, more in the nature of a Writ of Mandamus under Article 226 of the Constitution of India, declaring the action of the respondents not considering the case of the petitioner for promotion to the post of Deputy Chief Inspector of Boilers for the panel year 2025-26 on the sole ground of pendency of departmental proceedings initiated against the petitioner by issuing GORt No.104 Labour, Factories, Boilers and Insurance

Medical Services (IMS & VIG) Department, dated 26.05.2026 issued by the 1st Respondent, as arbitrary, illegal, discriminatory, malafide, void and without jurisdiction and unconstitutional violating Articles 14, 16 and 21 of the Constitution of India as well as contrary to Rule 6 of A.P. State and Subordinate Service Rules and issue consequential directions, directing the respondents to forthwith consider the case of the petitioner for promotion to the Post of Deputy Chief Inspector of Boilers by including the name of the petitioner for the panel of Inspector of Boilers fit for promotion to the post of Deputy Chief Inspector of Boilers for the panel year 2025-26 against the (vacancies which will arise for the panel year 2025-26 due to retirement of the existing two Deputy Chief Inspector of Boilers

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 forthwith consider the case of the petitioner for promotion to the Post of Deputy Chief Inspector of Boilers by including the name of the petitioner for the panel of Inspector of Boilers fit for promotion to the post of Deputy Chief Inspector of Boilers for the panel year 2025-26 against the vacancies which will arise for the panel year 2025-26 due to retirement of the existing two Deputy Chief Inspector of Boilers, Pending disposal of WP No.16019 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 P V Krishnaiah, Advocate for the Petitioner, and of GP for Services II for the Respondents, the Court made the following.

ORDER

The Writ Petition is filed questioning the action of the Respondents in not considering the case of the Petitioner for promotion to the post of

Deputy Chief Inspector of Boilers for the panel year 2025-2026 on the ground of pendency of Departmental Enquiry initiated against the Petitioner vide G.O.Rt.No.104 Labour, Factories, Boilers and Insurance Medical Services (IMS & VIG) Department, dated 26.05.2026 issued by the Respondent No.1 as illegal and arbitrary.

The Petitioner is presently working as Inspector of Boilers and is due for promotion to the post of Deputy Chief Inspector of Boilers in the panel year 2025-2026. On account of certain misconduct, a Charge Sheet was issued against the Petitioner on 26.05.2026 with regard to illegal gratification said to have been accepted by the Petitioner on 27.01.2024 from the officials of M/s Sri Vyshnavi Dairy Specialities Private Limited, Punabaka Village, Pellakuru (M), Tirupathi.

Sri P.V. Krishnaiah, learned counsel for the Petitioner, submits that as the promotion of the Petitioner is for the panel year 2025-2026, the Charge Memorandum dated 26.05.2026 would not come in the way of consideration of the case of the Petitioner for promotion now.

Learned Assistant Government Pleader for Services submits that the charge framed against the petitioner is grave in nature and a criminal case was registered vide Crime No. 470 of 2024 with regard to the allied allegations and therefore, the case of the petitioner could not be considered for promotion.

Heard the learned counsels.

No Charge Sheet is filed with regard to Crime No.470 of 2024 before the concerned jurisdiction Court and the same is not a bar for consideration of the case of the Petitioner for further promotion in view of G.O.Ms.No.66 General Administration (Ser.C) Department, dated 30.01.1991.

With regard to the Departmental Charge Memorandum issued on 26.05.2026, the following interim order is passed:

i) The Respondents are directed to examine the case of the Petitioner for promotion to the post of Deputy Chief Inspector of Boilers in terms of G.O.Ms.No.257 General Administration (Ser.C) Department, dated 10.06.1999

Post on 28.07.2026 for filing Counter Affidavit by the Respondents.

//TRUE COPY//

**SD/- P.BRAHMA RAO
ASSISTANT REGISTRAR
SECTION OFFICER**

To,

- 1. The Principal Secretary to Government, State of Andhra Pradesh, Labour, Factories Boilers and Insurance Medical Services (IMS &VIG) Department Secretariat, Velagapudi/Amaravathi Guntur District.**
- 2. The Director of Boilers, State of Andhra Pradesh, Vijayawada Krishna District, AP. (1 & 2 by RPAD)**
- 3. One CC to Sri P V Krishnaiah, Advocate [OPUC]**
- 4. Two CCs to GP for Services II, High Court of Andhra Pradesh [OUT]**
- 5. One spare copy**

HIGH COURT

VN, J

DATED: 30/06/2026

POST ON 28.07.2026

ORDER

WP.NO.16019 OF 2026

INTERIM DIRECTION

