



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

[3460]

FRIDAY, THE FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 20087 OF 2025

Between:

Simhadri Manohar,

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. S SRINIVASA RAO

Counsel for the Respondent(S):

1. GP FOR SERVICES I

The Court made the following:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 20087 OF 2025

ORDER:-

The present Writ Petition is filed questioning the inaction of the Respondents in concluding the disciplinary proceedings initiated by Respondent No.1 in G.O.Rt.No.501 Municipal Administration and Urban Development (VIG.I), dated 16.07.2024 and consequently direct the Respondents to conclude the enquiry expeditiously.

2. The facts leading to the filing of the Writ Petition are as follows:

The Petitioner is working as Deputy Commissioner, Grade-II, Gudivada Municipality. While so, a Charge Memo was issued against the Petitioner alleging certain irregularities. Subsequently, the Respondent No.1 initiated disciplinary proceedings under Rule 20 of A.P.Civil Service (CC&A) Rules, 1991 and issued Article of Charges, vide G.O.Rt.No.501, dated 16.07.2024. The Petitioner submitted his explanation denying the allegations.

3. The grievance of the Petitioner in filing the writ petition is that though the Charge Memorandum was issued vide G.O.Rt.No.501, dated 16.07.2024 for the allegations pertaining to the year 2019 and there has been no progress in the enquiry and no Enquiry Officer or Presenting Officer were appointed by Respondent No.1 till date.

4. Learned counsel for the Petitioner by placing reliance on G.O.Ms.No.91 General Administration (SER.C) Department dated 12.09.2022, submits that

the Government had framed comprehensive guidelines fixing definite time frame for expediting the process of disciplinary cases in supersession of the previous guidelines. Learned counsel for the Petitioner submits that in simple cases, the enquiry should be completed within three months and in complicated cases, the enquiry should be completed within five to six months and seeks for expeditious conclusion of the disciplinary proceedings.

5. Learned Assistant Government Pleader for Services-I would submit that further action has been initiated by Respondent No.1 for appointment of Enquiry Officer and Presenting Officer and due to certain administrative issues, there is delay, however, submitted that the enquiry would be completed as expeditiously as possible as mandated under the G.O.Ms.No.91 relied upon by the learned counsel for the Petitioner.

6. Having heard the learned counsel and taking note of the submissions made by the Assistant Government Pleader, this Court is of the opinion that the Government had issued the comprehensive guidelines for conclusion of departmental proceedings vide G.O.Ms.No.91 General Administration (SER.C) Department dated 12.09.2022 and clause 5 (ix) would be relevant for disposal of this case which reads as under:

'ix. Government direct that in all simple cases the inquiry initiated against Government Servant shall be completed within three months either by Departmental Officers or Commissioner of Inquiries. In complicated cases, it shall be ensured that the inquiry should be completed within five to six months. The Secretaries to Government shall review the progress of the inquiries ordered in all disciplinary cases and submit a note on the

cases pending beyond the stipulated time to Chief Secretary to Government and also the Chief Minister.'

7. In view of the above, the Writ Petition is disposed of with the following directions:

(i) The Respondent No.1 shall appoint an Enquiry Officer and Presenting Officer as required under APCS (CCA) Rules, 1991 forthwith and shall ensure that the enquiry shall be concluded within a period of six (06) months from the date of receipt of a copy of this order.

(ii) The Petitioner shall cooperate for expeditious conclusion of the enquiry.

(iii) In the event, enquiry is not concluded within time specified, the Disciplinary Authority, as well as Enquiry Officer and Presenting Officer shall be answerable for the delay.

(iv) No order as to costs.

As a sequel, pending applications, if any, shall stand closed.

NYAPATHY VIJAY, J

Date: 01.08.2025

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