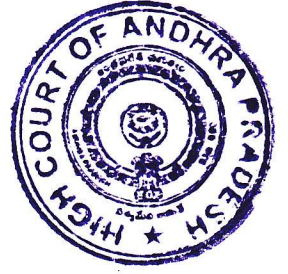




IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)



THURSDAY, THE SEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 20880 OF 2025

Between:

V Prabhakara Rao, S/o. V. Uma Maheswararao, Age 60 years, Occ
Multi Purpose Health Supervisor (M) District Leprosy and TB Control
Officer,, Eluru, Eluru District..

...Petitioner

AND

1. The State Of Andhra Pradesh, rep by its Principal Secretary, Health,
Medical and Family Welfare Department, Secretariat, Velagapudi, At
Amaravathi, Guntur District.
2. The Director of Public Health and Family Welfare, State of A.P,
Vijayawada, Krishna District.
3. The Regional Director of Medical and Health Services, Zone - II,
Rajamahendravaram, East Godavari 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 an appropriate order or directions more particularly, one in
the nature of Writ of Mandamus, declaring the action of the respondents not
considering the petitioner claim for promotion to the post Multi Purpose
Health Extension Officer which is non selection post without reference to the

charge memo vide G.O.Rt.No. 62 Health, Medical and Family Welfare (VC.1) Department dated 25.01.2023 (issue relating to the year 2013 to 2016) in terms of Rule 5(b) (i) of AP State and Subordinate Service Rules, 1996 as highly illegal, arbitrary, unjust, discrimination, unconstitutional and violation of Article 14 and 16 and 21 of the Constitution of India and contrary to the orders of this Honble Court and consequentially direct the respondents to promote the petitioner as Multi Purpose Health Extension Officer in terms of Rule 5(b) (i) of AP State and Subordinate Service Rules, 1996 with all consequential benefits.

IA NO: 1 OF 2025

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 claim for promotion to the post of Multi Purpose Health Extension Officer in terms of Rule 5(b) (i) of AP State and Subordinate Service Rules, 1996 pending disposal of the above writ petition.

Counsel for the Petitioner: SRI T S N SUDHAKAR

Counsel for the Respondent Nos.1 to 3: GP FOR SERVICES I

The Court made the following order:

APHC010407182025



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

[3460]

THURSDAY, THE SEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 20880/2025

Between:

V Prabhakara Rao

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. T S N SUDHAKAR

Counsel for the Respondent(S):

1. GP FOR SERVICES I

The Court made the following:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY**WRIT PETITION NO: 20880/2025**

The present Writ Petition is filed to declare the action of the Respondents in not considering the case of the Petitioner for promotion to the post of Multi Purpose Health Extension Officer, which is non selection post, without reference to the Charge Memo vide G.O.Rt.No. 62, Health, Medical and Family Welfare (VC.1) Department, dated 25.01.2023 (issue relating to the year 2013 to 2016) in terms of Rule 5(b) (i) of AP State and Subordinate Service Rules, 1996 as highly illegal and arbitrary.

2. The Petitioner is working as Multi Purpose Health Supervisor (Male) since 2009. It is stated that now he is eligible and qualified for promotion to the post of Multi Purpose Health Extension Officer. While so, a Charge Memo was issued to the Petitioner vide G.O.Rt.No.62, Health, Medical and Family Welfare (VC.1) Department, dated 25.01.2023 making certain allegations. The Petitioner had submitted an explanation on 01.05.2023 denying the charge. As the Respondent Authorities are not considering the case of the Petitioner for promotion to the said post on the ground that disciplinary proceedings are pending, the present Writ Petition is filed by the Petitioner.

3. Learned counsel for the Petitioner submits that the allegations against the Petitioner are not grave in nature. He further submits that Charge Memo was issued in the year 2023 with reference to the allegations pertaining to the year 2013 to 2016.

4. Learned Assistant Government Pleader would contend that the case of the Petitioner would be considered in terms of G.O.Ms.No.257, General Administration (Ser.C) Department, dated 10.06.1999.

5. Having heard the respective submissions, this Court is of the opinion that nature of the charges framed against the Petitioner and the abnormal delay in issuance of disciplinary proceedings are aspects to be considered while considering the case of Petitioner for promotion in terms of G.O.Ms.No. 257, dated 10.06.1999.

6. Accordingly, the present Writ Petition is disposed of with the following direction:

i) The respondents are directed to consider the Petitioner's case for promotion to the Post of Multi Purpose Health Extension Officer subject to the Petitioner possessing requisite qualification in

terms of G.O.Ms.No.257, General Administration (Ser.C)
Department, dated 10.06.1999.

ii) There shall be no order as to costs.

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

//TRUE COPY//

Sd/- A VIJAYA BABU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

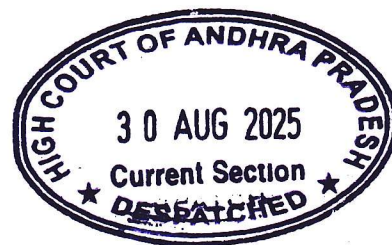
1. The Principal Secretary, Health, Medical and Family Welfare Department, Secretariat, Velagapudi, At Amaravathi, Guntur District.
2. The Director of Public Health and Family Welfare, State of A.P, Vijayawada, Krishna District.
3. The Regional Director of Medical and Health Services, Zone - II, Rajamahendravaram, East Godavari District.
4. One CC to Sri. T S N Sudhakar, Advocate [OPUC]
5. Two CCs to GP For Services I, High Court of Andhra Pradesh [OUT]
6. Two CD Copies.

AL

HIGH COURT

DATED:07/08/2025

ORDER
WP NO. 20880 OF 2025



DISPOSING OF THE W.P. WITHOUT COSTS