

APHC010407372025



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

WEDNESDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 20798 OF 2025



Between:

K. Ravi Babu, S/o Narayana, Aged 44 years, Tahsildar, CRDA, Thulluru Unit,
Guntur District.

...PETITIONER

AND

1. State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, A.P. Secretariat, Velagapudi, Amaravati.
2. The Chief Commissioner of Land Administration, APIIC Building, Auto Nagar, Near NRI Hospitals, Mangalagiri, Guntur 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 a writ, order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondent authorities in not considering the case of the petitioner for promotion to the post of Deputy Collector without reference to the pending disciplinary proceedings, initiated through charge memos vide G.O.Rt.No.422 dated 12.07.2021, and another charge memo vide Rc.A1/517/2017, dated 21.09.2017 and a CCLA charge memo vide Ref No.REV02-28/189/2023, Revenue (Vig.wing) Department dated 27.01.2024, as highly arbitrary, illegal, unjust, against the principles of

natural justice, violative of fundamental rights and contrary to G.O.Ms. No. 91 General Administration (SER.C) Department, dated 12.09.2022 and. G.O.Ms. No. 679 (GAD) dated 01.11.2008 and G.O.Ms. No. 257, dated 10.06.1999 and consequently to direct the respondent authorities to promote the petitioner to the post of Deputy Collector without reference to the above said pending charge memos.

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 respondent authorities to consider the case of the petitioner for promotion to the post of Deputy Collector without reference to the pending disciplinary proceedings initiated through charge memos vide G.O.Rt.No.422 dated 12.07.2021, and another charge memo vide Rc.A1/517/2017, dated 21.09.2017 and a CCLA charge memo vide Ref NO.REV02-28/189/2023, Revenue (Vig.wing) Department dated 27.01.2024, pending disposal of the above writ petition.

Counsel for the Petitioner: SRI BALAJI MEDAMALLI

Counsel for the Respondent Nos.1 & 2: GP FOR SERVICES- I

The Court made the following order:



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

[3460]

WEDNESDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 20798/2025

Between:

1.K RAVI BABU, S/O NARAYANA, AGED 44 YEARS, TAHSILDAR,
CRDA, THUIIURU UNIT, GUNTUR DISTRICT.

...PETITIONER

AND

1.STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, REVENUE DEPARTMENT, A.P. SECRETARIAT,
VELAGAPUDI, AMARAVATI.

2.THE CHIEF COMMISSIONER OF LAND ADMINISTRATION, APIIC
BUILDING, AUTO NAGAR, NEAR NRI HOSPITALS,
MANGALAGIRI, GUNTUR DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1.BALAJI MEDAMALLI

Counsel for the Respondent(S):

1.GP FOR SERVICES I

The Court made the following:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY**WRIT PETITION No: 20798 of 2025****ORDER:-**

The present 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 Collector without reference to the Charge Memos in G.O.Rt.No.422 Revenue (Vigilance.I) Department, dated 12.07.2021 and Rc.A1/517/2017, dated 21.09.2017 and a CCLA charge memo vide Ref.No.REV02-28/189/2023, Revenue (Vig.wing) Department, dated 27.01.2024 as arbitrary and illegal 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 was appointed as Deputy Tahsildar in October 2009 in Nellore District. Later, he was promoted as Tahsildar in the year 2013 in Prakasam District. Thereafter, in the year 2017 he was transferred as Tahsildar in Guntur District. Later, he took charge as Tahsildar, Dachepalli on 21.10.2017 and worked there till 09.12.2017. Subsequently, he was placed as in-charge Tahsildar, Dachepalli from 21.03.2018 to 07.07.2018. While so, the Collector and District Magistrate, Prakasam District, Ongole issued a charge memo dated 21.09.2017 alleging that he has not furnished genuine information. The

Petitioner submitted a detailed explanation in the month of December 2017. On 12.07.2021 alleging slackness in duties while the Petitioner was working as Tahsildar at Dachepalli and Piduguralla during the period from 2017 to 2018, the 1st Respondent issued another charge. The Petitioner submitted a detailed explanation in the month of July 2021. Thereafter the Commissioner of enquiry has issued notice dated 27.09.2023 to attend the enquiry and thereafter he attended the enquiry. On 27.01.2024 the 2nd Respondent issued another charge memo.

3. However, without considering the explanations, Respondent Nos.1 and 2 had issued Charge memos under Rule 20 of APCS (CCA) Rules, 1991 alleging slackness in preventing illegal mining while the Petitioner was working as Tahsildar at Dachepalli and Piduguralla. Thereafter, an enquiry officer was appointed on 26.11.2024 and concluded the enquiry and submitted a report to the CCLA.

4. While so, the promotion for the post of Deputy Collector is being considered and the apprehension of the Petitioner is that his case would not be considered for promotion in view of the pendency of the disciplinary enquiry.

5. Learned counsel for the Petitioner further submits that in spite of participating in the enquiry by the Petitioner, no decision is forthcoming

and the same is likely to hinder his prospects for consideration of his case for promotion to the post of Deputy Collector.

6. Learned Assistant Government Pleader would contend that the Petitioner cannot raise issue of challenge to the Charge Memorandums after participating in the enquiry and as regards the issue of promotion, he submitted that his case would be considered in terms of G.O.Ms.No.257, General Administration (Ser.C) Department, dated 10.06.1999.

7. Having heard the respective submissions, this Court is of the opinion that the charges against the Petitioner is only with regard to the slackness shown in lack of supervision and the same does not appear to be grave to dodge the promotion apart from that the delay in concluding the enquiry is inexplicable.

8. Considering the delay in conclusion of the disciplinary enquiry and triviality of the charges framed against the Petitioner, this Writ Petition is disposed of in the following terms:

i) The Respondents are directed to consider the Petitioner's case for promotion to the Post of Deputy Collector subject to the Petitioner possessing requisite qualification taking note of the non-serious charges against the Petitioner in Charge Memos in G.O.Rt.No.422 Revenue (Vigilance.I) Department, dated 12.07.2021 and Rc.A1/517/2017, dated

21.09.2017 and a CCLA charge memo vide Ref.No.REV02-28/189/2023, Revenue (Vig.wing) Department, dated 27.01.2024, 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.

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SD/- N NAGAMMA
ASSISTANT REGISTRAR

NB
SECTION OFFICER

To

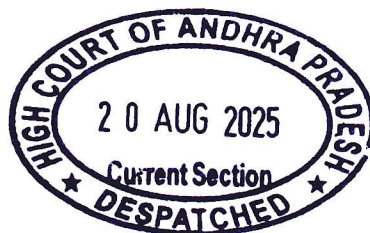
1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Amaravati.
2. The Chief Commissioner of Land Administration, APIIC Building, Auto Nagar, Near NRI Hospitals, Mangalagiri, Guntur District.
3. One CC to Sri Balaji Medamalli, Advocate [OPUC]
4. Two CCs to GP for Services- I, High Court of Andhra Pradesh [OUT]
5. Two CD Copies.

ssb

HIGH COURT

DATED:06/08/2025

ORDER
WP No. 20798 OF 2025



DISPOSING OF THE W.P. WITHOUT COSTS