



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: 20796 OF 2025

Between:

G. V. S. Phaneendra Babu, S/o Venugopal, Aged 48 years, Tahsildar,
APCRDA, Vijayawada.

...PETITIONER

AND

1. The 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.423 dated 12.07.2021 and G.O.Rt.No.1039 Revenue (Vig.III) Department dated 02.12.2022, 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.423 dated 12.07.2021 and G.O.Rt.No.1039 Revenue (Vig.III) Department dated 02.12.2022, 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: 20796/2025

Between:

1. G V S PHANEENDRA BABU, S/O VENUGOPAL, AGED 48
YEARS, TAHSILDAR, APCRDA, VIJAYAWADA.

...PETITIONER

AND

1. THE 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: 20796 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.423 Revenue (Vigilance.I) Department, dated 12.07.2021 and G.O.Rt.No.1039 Revenue (Vigilance.III) Department dated 02.12.2022 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 on 07.11.2007 in the office of the District Collector. Later, he was promoted as Tahsildar on 14.09.2011 and worked there till 30.09.2012. On 19.08.2024 he was posted as Tahsildar, APCRDA on deputation. While so, the 1st Respondent issued a memo dated 12.07.2021 alleging slackness in duties while he was working as Tahsildar at Piduguralla in the year 2016. The Petitioner submitted a detailed explanation on 22.10.2021. On 02.12.2022 the 1st respondent also issued another charge memo framing three articles of charges for the alleged incidents of the year 2015.

3. However, without considering the explanation, the 1st Respondent 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 Piduguralla in the year 2016 and the alleged incidents of the year 2015. On 12.01.2023, the Petitioner again submitted his explanation denying the charges and enquiry officer issued notice dated 28.03.2023 and he submitted explanation. Thereafter, the enquiry officer concluded enquiry and submitted a report to the Government on 06.06.2023.
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.423 Revenue (Vigilance.I) Department, dated 12.07.2021 and G.O.Rt.No.1039 Revenue (Vigilance.III) Department dated 02.12.2022, 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/- N NAGAMMA
ASSISTANT REGISTRAR

AB
SECTION OFFICER

To,

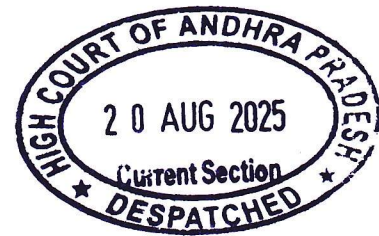
1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Amaravati.
2. The Chief Commissioner of Land Administration, APIIC Building, Auto Nagar, Near NRI Hospitals, Mangalagiri, Guntur District
3. One CC to Sri Balaji Medamalli, Advocate [OPUC]
4. Two CCs 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. 20796 OF 2025**



DISPOSING OF THE W.P. WITHOUT COSTS