



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

[3460]

**TUESDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 21065/2025

Between:

1.P. MARKHANDEYULU, , S/O LATE GOVINDARAJULU, AGED- 56 YEARS, OCC- HEAD MASTER (GRADE-LL), R/O GTWAHS (B) SCHOOL, MG PURAM VILLAGE, SOMPETA MANDAL, SRIKAKULAM DISTRICT.

...PETITIONER

AND

1.STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY , TRIBAL WELFARE DEPARTMENT, SECRETARIAT, VELAGAPUDI,AMARAVATI,GUNTUR DISTRICT.

2.DIRECTOR OF TRIBAL WELFARE, GOVERNMENT OF ANDHRA PRADESH, D.NO.40-3/1-46-4A, WARD NO. 13, KONERU LAKSHMAIAH STREET, MOGHALRAJPURAM, VIJYAWADA, KRISHNA DISTRICT.

3.DISTRICT COLLECTOR, SRIKAKULAM DISTRICT - 532001.

4.PROJECT OFFICER ITDA, INTEGRATED TRIBAL DEVELOPMENT AGENCY, SEETHAMPETA, SRIKAKULAM DISTRICT, (PRESENTLY PARVATHIPURAM MANYAM DISTRICT) - 532443.

5.ASSISTANT TRIBAL WELFARE OFFICER, TRIBAL WELFARE DEPARTMENT, I.T.D.A, MANDASA, SRIKAKULAM DISTRICT,

6.DISTRICT ST WELFARE AND EMPOWERMENT OFFICER, TRIBAL WELFARE DEPARTMENT, I.T.D.A, SRIKAKULAM, SRIKAKULAM DISTRICT

...RESPONDENT(S):

Counsel for the Petitioner:

1.SRINIVAS AMBATI

Counsel for the Respondent(S):

1.GP FOR SERVICES II

The Court made the following:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY**WRIT PETITION No.21065 OF 2025****ORDER:**

The present writ petition is filed questioning the final show-cause notice dated 24.07.2025 issued by Respondent No.6 directing Respondent No.5 to recover an amount of Rs.7,14,420/- from the Petitioner as per the proceedings in Rc.No.112/2023/A(TW) dated 24.02.2024 issued by Respondent No.3, as illegal and arbitrary.

2. The facts leading to the filing of the writ petition are as follows:-

The Petitioner was initially appointed as Secondary Grade Teacher on 08.10.1987 and had worked at various places in the course of his career. Subsequently he was promoted as School Assistant (Maths) and further promoted as Head Master (Grade-II). While so, an enquiry was conducted against the Petitioner and a charge memorandum was issued on 25.11.2023 alleging misappropriation of Manabadi Nadu Nedu. Consequent to the enquiry, the Petitioner was imposed a punishment to recover an amount of Rs.7,14,420/- and also imposed a major penalty of withholding of one annual increment with cumulative effect by orders dated 24.02.2024. The Petitioner thereupon filed an appeal on 27.06.2024 before Respondent No.2 and the same is pending. While the appeal is pending for consideration, the impugned show-cause notice dated 24.07.2025 was issued directing for recovery of an amount of Rs.7,14,420/-.

3. The grievance of the Petitioner is that as the appeal is pending, the impugned final show-cause notice is unwarranted and may be kept in abeyance till the disposal of the appeal. Learned Assistant Government Pleader would submit that steps would be taken to seek expeditious disposal of the appeal.

4. Having considered the submissions of the respective counsel, this Court is of the opinion that the Petitioner being a regular employee, recovery of an amount of Rs.7,14,420/- pursuant to the impugned proceedings can be kept in abeyance till the disposal of the appeal before Respondent No.2.

5. Accordingly, this Writ Petition is disposed of with the following directions:

- (i) The impugned proceedings in Rc.No.112/2023/A(TW) dated 24.02.2024 is kept in abeyance till the disposal of appeal before Respondent No.2.
- (ii) Respondent No.2 is further directed to dispose of the appeal as expeditiously as possible after affording an opportunity of hearing to the Petitioner.
- (iii) There shall be no order as to costs.

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

NYAPATHY VIJAY, J

Date: 12.08.2025
lvd

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No.21065 of 2025

Date: 12.08.2025

lvd