



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

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

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No: 21065 OF 2025

Between:

P. Markhandeyulu, S/o. Late Govindarajulu, Aged 56 years, Occ: Head Master
(Grade-II), 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 & Empowerment Officer, Tribal Welfare Department, I.T.D.A, Srikakulam, Srikakulam 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 more particularly one in the nature of **WRIT OF MANDAMUS** declaring the Final Show Cause Notice dt. 24.07.2025 in Rc.No.112/2023/A(TW), issued by the 6th respondent thereby directed the 5th respondent to take immediate action to recover the amount of Rs.7,14,420/- from the petitioner as ordered in proceedings dt. 24.02.2024 Rc.No.112/2023/A(TW) issued by the 3rd respondent, without waiting on the final orders pass by the 2nd respondent on petitioners Appeal filed challenging the proceedings dt.24.02.2024 in Rc.No.112/2023/A(TW) issued by the 3rd respondent, as illegal, arbitrary, violative of the provisions of A.P. Tribal Welfare Educational Service Rules, A.P. Civil Services (Classification, Control and Appeal) 1991 and offends Articles 14 & 21 of Constitution of India and consequently set aside the Final Show Cause Notice dt.24.07.2025 in Rc.No.112/2023/A(TW), issued by the 6th respondent.

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 suspend the operation of Final Show Cause Notice dt.24.07.2025 in Rc.No.112/2023/A(TW), issued by the 6th respondent, pending disposal of the main Writ Petition.

Counsel for the Petitioner: SRI SRINIVAS AMBATI

Counsel for the Respondent Nos.1 to 6: ASST.GP FOR SERVICES-II

The Court made the following order:



**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.

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Sd/- K TATA RAO
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Tribal Welfare Department, State of Andhra Pradesh Secretariat, Velagapudi, Amaravati, Guntur District.

2. The Director of Tribal Welfare, Government of Andhra Pradesh, D.No.40-3/1-46-4A, Ward No.13, Koneru Lakshmaiah Street, Moghalraipuram, Vijyawada, Krishna District.
3. The District Collector, Srikakulam District - 532001.
4. The Project Officer (ITDA), Integrated Tribal Development Agency, Seethampeta, Srikakulam District, (presently Parvathipuram Manyam District) - 532443.
5. The Assistant Tribal Welfare Officer, Tribal Welfare Department, I.T.D.A, Mandasa, Srikakulam District.
6. The District ST Welfare & Empowerment Officer, Tribal Welfare Department, I.T.D.A, Srikakulam, Srikakulam District.
7. One CC to Sri Srinivas Ambati, Advocate [OPUC]
8. Two CCs to GP for Services-II, High Court of Andhra Pradesh [OUT]
9. **Two CD Copies.**

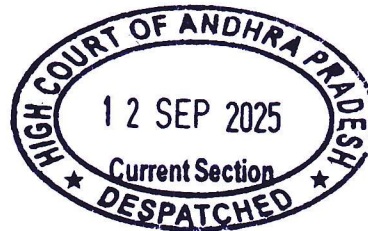
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HIGH COURT

DATED:12/08/2025

ORDER

WP No.21065 OF 2025



**DISPOSING THE WRIT PETITION
WITHOUT COSTS**