

APHC010466702011



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

[3457]

TUESDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 5442/2011

Between:

1. HARIJANA RAMANJANEYULU, S/O H.P.VANNURAPPA, R.KOTTALA
(V), VIDAPANAKAL (MANDAL) ANANTAPUR DISTRICT

...PETITIONER

AND

1. THE DISTRICT COLLECTOR 3 OTHERS, ANANTAPUR,
ANANTAPUR DISTRICT.
2. THE PROJECT DIRECTOR DISTRICT WATER MANAGEMENT
CORPORATION, ANANTAPUR, ANANTAPUR DISTRICT.
3. THE MANDAL PARISHAD DEVELOPMENT OFFICER, VIDAPANAKAL
MANDAL, ANANTAPUR, ANANTAPUR DISTRICT.
4. THE JOINT SECRETARY CENTER FOR DEVELOPMENT STUDIES,
A.P.ARD AMR-AP ARD CAMPUS, RAJENDRANAGAR, HYDERABAD.

...RESPONDENT(S):

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 or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not issuing any show cause notice or termination order in insisting the petitioner not to work under the 3rd respondent office is illegal, arbitrary and violation of principles of Natural justice and consequently direct the respondents to continue the petitioner as Field Assistant in 3rd respondent office and pass

IA NO: 1 OF 2011(WPMP 6763 OF 2011)

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 direct the 3rd respondent to continue the petitioner as Field Assistant in 3rd respondent Office pending disposal of the main writ petition and pass

Counsel for the Petitioner:

1.K SRINIVAS

Counsel for the Respondent(S):

1.M S R CHANDRA MURTHY

2.G SESHADRI(SC FOR MPP ZPP)

3.B V APARNA LAKSHMI

4.GP FOR PANCHAYAT RAJ & RURAL DEV

THE HONOURABLE SRI JUSTICE HARINATH.N**WRIT PETITION NO: 5442 of 2011****ORDER:**

1. The learned counsel appearing for the petitioner submits that the petitioner is aggrieved by the termination order issued by the respondents to the petitioner without even issuing any show cause notice. It is submitted that the petitioner was engaged as Field Assistant in the third respondent-Mandal by the 2nd respondent in the year 2007. However, the services of the petitioner were dispensed with without issuing any notice. It is submitted that the termination order, in contravention of the principles of natural justice, is under challenge in the present writ petition.

2. It is also submitted that the petitioner never ever neither indulged in misappropriation of any amounts nor is charged with any allegation which would require the respondents to terminate the service of the petitioner.

3. The learned Standing counsel appearing for the respondents, on instructions, submits that the petitioner was engaged as Field Assistant for a limited period on a contract basis and that he is no longer in service of the respondent since 2009. It is also submitted that at present one A.Hariprasad is working as Field Assistant since 29.11.2024. It is also submitted that the 3rd respondent has filed a detailed counter and, as seen from the counter, the petitioner is said to have absconded his duties on 08.02.2008 till the date of filing of the counter i.e., 28.03.2011. It is also stated in the counter that the 3rd respondent has sent a notice dated 11.02.2008 to the petitioner's house

through the subordinate staff. However, he was unavailable in the village. As such, there was no other option than to terminate the petitioner from the services on 10.03.2008.

4. Heard the learned counsel for petitioner and the learned Standing counsel for the respondents.

5. Considering the submission that the petitioner was engaged for a specific period of time and that, upon completion of the said term, the petitioner was no longer in the service of the respondents. As such, the respondents have engaged other employees as Field Assistants, and one A.Hariprasad is presently working as a Field Assistant. Further, considering the nature of the petitioner's employment as temporary and the fact that the petitioner has not placed on record the appointment order, which would have indicated the nature of engagement and the petitioner's entitlement, if any, to reinstatement, the matter could have been considered on merits had the petitioner submitted the order of appointment.

6. On these considerations this Court would have to consider that there was no formal order of appointment issued to the petitioner which would have governed the terms of engagement or disengagement. The Petitioner has also not submitted any reply to the counter denying the allegation that the petitioner had absconded from his duty in the year 2008. On these considerations, this Court is not inclined to interfere. Accordingly the writ petition stands dismissed. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE HARINATH.N

Date:27.01.2026

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THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 5442 of 2011

Date: 27.01.2026

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