



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI**

WRIT PETITION NO: 29485 of 2022

Gurindapalli Rambabu and Others ...Petitioner(s)
Vs.
The Institution of Lokayukta of Andhra Pradesh ...Respondent(s)
and Others

Advocate for Petitioner: G RONALD RAJU
Advocate(s) for Respondent(s): B P RAJU

**CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE CHALLA GUNARANJAN
DATE : 14th July 2026**

ORDER: (per Hon'ble Sri Justice Challa Gunaranjan)

Present writ petition is filed under Article 226 of Constitution
of India seeking following relief:

“to issue Writ Order or Direction more particularly one in
the nature of Writ of Mandamus to declare the Order
passed by the AP Lokayukta (R1) in the Complaint No
93/2021/B1, dt.06/04/2022, (Ex.P1) directing the Director of
Public Libraries of A.P. (R3) and the Commissioner of
School Education of A.P. (R4) to issue instructions to the
Enquiry Officer to proceed with the Enquiry and conduct
test to ascertain skills of the Petitioners in English language,
so as to ascertain, whether we (Petitioners) are capable of
attempt the Library Science Examination conducted by
Alagappa University and Sri Venkateswara University,

Tirupathi in English language and if we (Petitioners) fail to appear for the test, an adverse inference can be drawn with regard to our skill in English language and to submit Report to the appropriate Authority and to AP Lokayukta (R1) is illegal, arbitrary, capricious, without the jurisdiction of AP Lokayukta, contrary to the provisions (Sec.7, Sec.10, Sec.11 & Sec.12) of A.P. Lokayukta Act, 1983, violative of Art.19, 21, contrary to the provisions of Administrative Tribunals Act, 1985, violative of canons of natural justice, thereby, to set-aside the impugned Order passed by the AP Lokayukta in the Complaint No.93/2021/B1, dt.06/04/2022 (Ex.P1) and thereby, to set-aside the consequent proceedings of the Secretary of APREICS, Guntur (R5) vide Rc.No.ESE53-ESTT/82/2022-ESST, dt.30/08/2022(Ex.P2) and thereby to set-aside the consequent proceedings of the Secretary of the West Godavari District Libraries (Paschima Godavari Zilla Grandhalaya Samstha) (R6) vide RC.No.29-A/2018, dt.01/09/2022 (Ex.P3), as illegal, arbitrary, violative of cannons of natural justice, contrary to the provisions of the Administrative Tribunals Act, 1985 and the provisions of A.P.Lokayukta Act, 1983, in the interest of justice.”

- 2.** (a) Petitioners are all either working as librarians Grade-III or attenders and working at different locations. 7th respondent stated to have initially made a complaint dated 15.02.2018 to the Director of Public Libraries alleging that the petitioners had produced fake certificates relating to certificate course in Library and Information Sciences and thereby secured

the employment. The complaint came to be enquired into and genuineness of the certificates issued by various universities verified and eventually they were found to be genuine and valid. However, despite the same, the 7th respondent once again stated to have made a complaint before 1st respondent on the very same set of allegations and the same has been taken cognizance of.

(b) 1st respondent had issued notices to the official respondents, to which the Director of Libraries submitted report confirming that the certificates were genuine, however, based on objection raised by the 7th respondent, the 1st respondent had passed impugned order dated 06.04.2022 directing the respondents 3 and 4 herein, in turn to issue instructions to the concerned enquiry officer to proceed with enquiry and further to conduct a test to ascertain the skill of the alleged employees in English language to ascertain whether they were really capable of attempting the library science examination stated to have been conducted by Alagappa University and Sri Venkateswara University. In consequence to the said directions, the official respondents have issued proceedings dated 30.08.2022 and 01.09.2022 directing the petitioners to undergo English proficiency test.

(c) Assailing the same, present writ petition is filed.

3. This Court, while issuing notice, has stayed the operation of both the orders of 1st respondent as well as consequential proceedings.

4. Heard Sri G.Ronald Raju, learned counsel appearing for petitioner and Sri B.P.Raju, learned counsel appearing for 7th respondent.

5. (a) Learned counsel appearing for petitioners mainly contends that the impugned order is unsustainable on two counts i.e., firstly that the impugned order of 1st respondent is vitiated on account of violation of principles of natural justice, inasmuch as, no notice was issued to them before passing the order and secondly, the nature of directions issued in the impugned order are beyond the powers and jurisdiction of 1st respondent.

(b) It is further contended that the powers conferred on 1st respondent by virtue of Section 7 and 10 of A.P. Lokayukta Act, 1983 are merely recommendatory in nature, therefore, it has not been vested with any jurisdiction or authority for issuing any sort of directions to the administrative functionaries.

6. Per contra, learned counsel appearing for unofficial respondent tried to support the order passed by 1st respondent and in the process, it is contended that the certificates basing on which the petitioners have been selected and appointed as librarians are

fabricated and not genuine, therefore, rightly enquiry was sought to be conducted by the 1st respondent and in order to elicit as to whether petitioners really possessed the skill in the subject language, performance test was directed to be undertaken, which is to aid the enquiry.

7. We have gone through the records and given our anxious consideration to the submissions made by respective counsel. We are of the view that the impugned order of 1st respondent is clearly unsustainable for following reasons:

As can be seen from the impugned order and the connected records, the 1st respondent even without issuing notices to the affected parties i.e., writ petitioners, despite the report of 3rd respondent confirming the certificates to be genuine, still proceeded to issue directions for evaluating the skill of petitioners in English language. Such an *ex parte* direction without affording opportunity to the writ petitioners is clearly in violation of principles of natural justice. That apart, the nature of directions issued by 1st respondent also, in our considered view, clearly transgress the powers and jurisdiction vested on 1st respondent.

8. Under the provisions of A.P.Lokayukta Act, the 1st respondent is merely required to enquire into the issue and submit a report with its recommendation and the rest is to be left to

the government to act on. Definitely no positive directions can be issued, much less the directions as issued in the present case.

9. Therefore, we hereby set aside the impugned order dated 06.04.2022 passed by 1st respondent and the consequential proceedings dated 30.08.2022 and 01.09.2022 issued thereon and remand the matter back to 1st respondent for conducting enquiry strictly in accordance with the provisions of the Act. It is needless to say that the 1st respondent shall give fair opportunity of hearing to the affected writ petitioners and after receiving the objections from them, it shall proceed to enquire into the allegations made under the subject complaint.

10. With the above observations, the writ petition stands disposed of. No costs.

As a sequel, miscellaneous petitions pending in this case, if any, shall stand closed.

LISA GILL, CJ

CHALLA GUNARANJAN, J

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