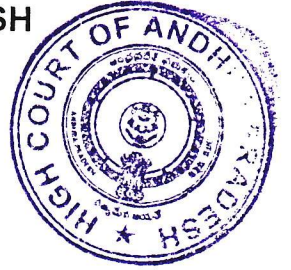




IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)



TUESDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 27206 OF 2025

Between:

Alajangi Vijaya Prasad, S/o. Late Chinnayya, Aged 54, Occ. Head Constable,
R/o.Rajam Town, Vizianagaram District.

...Petitioner

AND

1. The State of Andhra Pradesh, Department of Home Rep.by its Principal Secretary, Secretariat Buildings, Velagapudi, Amaravati.
2. The Director General of Police, Government of A.P, Police Head Quarters, Mangalagiri, Guntur.
3. The Superintendent of Police, Vizianagaram District.
4. The Superintendent of Police, 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 action of 3rd and 4th respondents herein in not conferring the promotion to the Petitioner with retrospective effect as Assistant Sub-Inspector of Police (ASI), and in not releasing promotional increment and the increments during suspension period and in not paying the arrears of salary as contrary to law, illegal and arbitrary and consequently direct the 3rd

and 4th respondents herein to promote the petitioner as ASI on par with his juniors with retrospective effect, to release promotion increments as Head Constable, to release annual increments for suspension period, to pay balance salary during the suspension period and to pay arrears.

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 3rd and 4th respondents to consider the request of the petitioner for promotion as Assistant Sub-Inspector of Police (ASI) on par with his juniors, with all consequential benefits fourth with, pending disposal of this writ petition

Counsel for the Petitioner: SRI POSANI AKASH

Counsel for the Respondents No.1 to 4: GP FOR SERVICES I

The Court made the following order:

APHC010513662025



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

[3460]

TUESDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 27206/2025

Between:

1. ALAJANGI VIJAYA PRASAD,, S/O. LATE CHINNAYYA,
AGED 54 OCC HEAD CONSTABLE, R/O. RAJAM TOWN,
VIZIANAGARAM DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, DEPARTMENT OF
HOME REP. BY ITS PRINCIPAL SECRETARY,
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI.
2. THE DIRECTOR GENERAL OF POLICE, GOVERNMENT
OF A.P, POLICE HEAD QUARTERS, MANGALAGIRI,
GUNTUR.
3. THE SUPERINTENDENT OF POLICE, VIZIANAGARAM
DISTRICT.
4. THE SUPERINTENDENT OF POLICE, SRIKAKULAM
DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1.POSANI AKASH

Counsel for the Respondent(S):

1.GP FOR SERVICES I

The Court made the following:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY**WRIT PETITION No.27206 of 2025****ORDER:**

The present writ petition is filed questioning the action of Respondent Nos.3 and 4 in not promoting the Petitioner to the post of Assistant Sub-Inspector of Police (ASI) with retrospective effect and in not releasing the promotional increments during suspension period, as illegal and arbitrary.

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

The Petitioner was appointed as Police Constable and was further promoted as Head Constable on 15.08.2012. While so, a criminal case was registered on 19.03.2014 for the offence under Section 13(1)(d) read with 13(2) of Prevention of Corruption Act by the ACB and the Petitioner was remanded to judicial custody. In view of the criminal case, the Respondent No.2 had initially placed the Petitioner under suspension and subsequently, the suspension was revoked. The criminal case was taking cognizance by the Special Judge for SPE and ACB Cases, Visakhapatnam and the same was numbered as C.C.No.13 of 2015. The Special Court after thorough trial, pronounced its judgment on 30.09.2023 acquitting the Petitioner from the charge.

3. The grievance of the Petitioner is that due to the pendency of the criminal case, the Petitioner was not considered for promotion to the post of Assistant Sub-Inspector of Police and the annual increments were not paid to him apart from the arrears of pay for the suspension period.
4. Learned counsel for the Petitioner relied upon a memo vide C.No.4079/A4/2023-24, dated 19.01.2024 issued by Respondent No.3, wherein it was stated that the special grade increment would be considered after disposal of the criminal case and in spite of the representation of the Petitioner, the same was not being granted.
5. Sri S.Raju, learned Assistant Government Pleader, would submit that the judgment dated 30.09.2023 in C.C.No.13 of 2015 on the file of the Special Judge for SPE and ACB Cases, Visakhapatnam would be examined and appropriate decision would be taken with regard to the promotion of the Petitioner to the post of Assistant Sub-Inspector of Police from the date his juniors were promoted as well as the other reliefs claimed by the Petitioner.

6. Considering the submissions made, the Writ Petition is disposed of with the following directions:

- i. The Respondents shall examine the case of the Petitioner for promotion to the post of the Assistant Sub-Inspector of Police (ASI) from the date his juniors were promoted.
- ii. The Respondents shall also consider in releasing the promotional increments to the Petitioner from the due date apart from increments during the period of suspension.
- iii. The Respondents shall complete the above exercise within a period of four (4) months from the date of receipt of a copy of this order.
- iv. There shall be no order as to costs.

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

**Sd/- U SRIDEVI
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravati.
2. The Director General of Police, Government of A.P, Police Head Quarters, Mangalagiri, Guntur.
3. The Superintendent of Police, Vizianagaram District.
4. The Superintendent of Police, Srikakulam District.
5. One CC to SRI POSANI AKASH Advocate [OPUC]
6. Two CCs to GP FOR SERVICES I High Court of Andhra Pradesh [OUT]
7. Two CD Copies

gsg

HIGH COURT

DATED:07/10/2025

**ORDER
WP NO. 27206 OF 2025**



**DISPOSING THE WP
WITHOUT COSTS**