

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

MONDAY, THE TENTH DAY OF NOVEMBER,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 30910 OF 2025



Between:

Kemburu Balakrishna, S/o K. Lakshmu Naidu, aged about 41 years, Occ
Startup Associate, Andhra Pradesh Innovation Society, Vijayawada, Andhra
Pradesh, R/o Door No.13-1316/1, Sector-2, Rajeev Nagar, Arilova,
Visakhapatnam.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary,
Information Technology, Electronics and Communications (Promotions)
Department, Secretariat, Velagapudi, Amaravathi.
2. The Chief Executive Officer, Andhra Pradesh Innovation Society, IT, E
& C Department, 2nd Floor, Infosight Building, Survey No. 78/2, Pathuru
Junction, Tadepalli, Guntur, Andhra Pradesh 522501.
3. The Andhra Pradesh Centre for Outsourced Services(APCOS), Rep by
its Chairperson, SEEDAP, NTR Administrative Block, 2nd Floor, P.N.
Bus Station, Vijayawada, Andhra Pradesh, 520013.

...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 an appropriate writ or order or direction more particularly one
in the nature of **Writ of Mandamus** declaring the proceedings of the 2nd
Respondent in File No.ITC53-11027/23/2025-SR.CON-S-APIS, dated
13.10.2025 in relieving the Petitioner from his duties as Startup Associate as
illegal, arbitrary, capricious, violative of principles of natural justice and Articles

14, 16, and 21 of the Constitution of India and set aside the impugned relieving order issued by the 2nd Respondent and consequently suspend the operation of the impugned order in File No. ITC53-11027/23/2025-SR.CONS-APIS Dated.13.10.2025 issued by the 2nd respondent, by directing the Respondents to reinstate the Petitioner into service as Startup Associate forthwith;

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 the impugned order in File No. ITC53-11027/23/2025-SR.CONS-APIS Dated:13.10.2025 issued by the 2nd Respondent, by directing the Respondents to reinstate the Petitioner into service as a Startup Associate forthwith, Pending disposal of WP 30910 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of P RAJKUMAR Advocate for the Petitioner, GP FOR Information Technology for R1 and R2, Sri.K.Bheema Rao, Standing Counsel, APCOS for R3 and the Court made the following.

ORDER:

Learned counsel for the Petitioner is permitted to take out personal notice to the Respondent(s) by registered post with acknowledgment due and file proof of service.

The present Writ Petition is filed questioning the Proceedings of the Respondent No.2 issued vide File No.ITC53 11027/ 23/ 2025 – SR – CONS - APIS, dated 13.10.2025 relieving the Petitioner from his duties as ‘Startup Associate’, as illegal and arbitrary.

The Petitioner was appointed as ‘Startup Associate’ on 30.06.2022 after a selection process with a salary of Rs.30,000/- per month by the Respondent No.2. While so, pursuant to the Fact Finding Committee

Report dated 29.05.2025, the services of the Petitioner were terminated vide impugned proceedings.

Learned counsel for the Petitioner submits that before passing the impugned order, no notice was issued to the Petitioner nor was a copy of the Fact Finding Committee Report furnished so as to enable the Petitioner to explain his innocence.

Heard the respective counsel.

Considering the fact that the impugned order was passed based on the Fact Finding Committee Report dated 29.05.2025 as mentioned in reference No.1 of the impugned order without putting the Petitioner on notice, the same, prima facie, appears to be in contravention with the principles of natural justice.

Secondly, as even an outsourced/contract employee cannot be terminated on stigmatic grounds without an enquiry as held by the Division Bench of this Court in State of A.P., rep. By its Principal Secretary and others v. K. Madhu Phani and another (2018(1) ALD 125), there shall be interim suspension of the impugned proceedings, dated 13.10.2025, pending further orders.

Post on 09.12.2025.

SD/- T. SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Information Technology, Electronics and Communications (Promotions) Department, Secretariat, Velagapudi, Amaravathi. (by **Special Messenger**)
2. The Chief Executive Officer, Andhra Pradesh Innovation Society, IT, E & C Department, 2nd Floor, Infosight Building, Survey No. 78/2, Pathuru Junction, Tadepalli, Guntur, Andhra Pradesh 522501.

3. The Chairperson, Andhra Pradesh Centre for Outsourced Services(APCOS), SEEDAP, NTR Administrative Block, 2nd Floor, P.N. Bus Station, Vijayawada, Andhra Pradesh, 520013. (addressee 2 and 3 by **RPAD**)
4. One CC to SRI. P RAJKUMAR Advocate [OPUC]
5. Two CCs to GP FOR SERVICES I, High Court of Andhra Pradesh. [OUT]
6. Sri.K.Bheema Rao, Standing Counsel, High Court of Andhra Pradesh. [OPUC]
7. One spare copy

HIGH COURT

VN,J

DATED:10/11/2025

Post on 09.12.2025

ORDER

WP.No.30910 of 2025

INTERIM

