



IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI

[3458]

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 33361/2025

Between:

1.G M SREEDHAR, S/O. SRINIVASA RAO, AGED ABOUT 52 YEARS, OCC DEPUTY DIRECTOR (INDUSTRIES) O/O. DIO, DISTRICT INDUSTRIES CENTER (DIG) ANAKAPALLI DISTRICT.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY PRINCIPAL SECRETARY, INDUSTRIES AND COMMERCE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.

2.THE DIRECTOR OF INDUSTRIES, THE STATE OF ANDHRA PRADESH 1ST FLOOR. GOVT REGIONAL PRINTING PRESS BUILDINGS, MUTHYALAMPADU, VIJAYAWADA-250011

...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, order or direction, more particularly one in the nature of writ of mandamus, declaring the action of the respondents in not considering the petitioner claim for promotion

to post of Joint Director without reference to criminal case (ACB Case) vide CC. No. 12 of 2008 on the file of SPL, JUDGE FOR SPE and ACB CASES, VIJAYAWADA as highly illegal, arbitrary, unjust, discrimination and violation of Article 14, 16, and 21 of the Constitution of India and set aside the same and consequently direct the respondents to promote the petitioner as Joint Director without reference to the criminal case vide C.C. No. 12 of 2008, pending before the Honble Court Special Judge for SPE and ACB Cases, Vijayawada, by following G.O.Ms.No.257 dated 10.06.1999, with all consequential benefits and to pass

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 respondents to promote the petitioner as Joint Director without reference to criminal case vide C.C. No. 12 of 2008 by following G.O.Ms.No.257 dated 10.06.1999, pending before the Hon'ble Court Special Judge for SPE & ACB Cases, Vijayawada pending disposal of the above writ petition and pass

Counsel for the Petitioner:

1.K SRINIVASA PRASAD

Counsel for the Respondent(S):

1.GP FOR SERVICES I

The Court made the following Order:

1. The petitioner seeks direction to the respondents to consider his case for promotion to the post of Joint-Director (Industries) without reference to the pending criminal case in CC No. 12 of 2008 on the file of Special Judge for SPE & ACB cases, Vijayawada.

2. The petitioner places reliance on G.O.Ms No.257 dated 10.06.1999 and on the decision of the Coordinate bench of this court in W.P.No.29356 of 2024 and W.P.No.29618 of 2024. It is contended that the disciplinary proceedings were initiated vide memo dated 12.10.2001 against the petitioner and the same culminated in the imposition of a penalty of stoppage of two annual increments without cumulative effect vide proceedings dated 01.01.2005. The said punishment was set aside pursuant to the petitioner's application before the A.P. Administrative Tribunal in O.A.No.3480 of 2011. The Tribunal set aside the punishment imposed against the petitioner. The said order of the tribunal was confirmed by this court in W.P.No.4132 of 2015. Subsequently, the petitioner was promoted to the post of Deputy Director vide proceedings dated 02.11.2011.

3. The respondent authorities are proposing to call the eligible Deputy Directors for promotion to the post of Joint Director, and the DPC meeting was held on 31.12.2020 and approved the names of the Deputy Directors for promotion to the post of Joint Directors for the panel year 2020-2021. Based on the said proceedings of the DPC, the 2nd respondent issued G.O.Ms.No.21, approving the names of 7 individuals for promotion to the category of joint director for the panel year 2020-21.

3. However, the case of the petitioner was ignored. It is contended that as the proceedings initiated against the petitioner under the provisions of the Prevention of Corruption Act are pending on the file of Special Judge in the case of SPE & ACB cases, Vijayawada, the petitioner's name has not been considered for further promotion to the post of Joint Director.

4. The petitioner places reliance on the G.O.Ms.No.257 dated 10.06.1999 for consideration of his name for further promotion. The petitioner also placed reliance on the judgment of the Coordinate Bench. The petitioner also placed reliance on the decision of this court in W.P.No.29618 of 2024. Learned counsel for the petitioner contends that, in terms of G.O.Ms.No.257, the petitioner's case may be considered for promotion. The learned Government Pleader would not dispute the legal provision.

5. Having regard to the same, this Court deems it is appropriate to dispose of the writ petition directing the respondents to consider the case of the petitioner for promotion to the post of Joint-Director, subject to the outcome of pending C.C.No.12 of 2008 before Special Judge for SPE & ACB Cases, Vijayawada

6. With the above observation, this Writ Petition is disposed of.

There shall be no order as to costs.

Consequent thereto, miscellaneous petition pending, if any, shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Date: 01-12-2025.

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THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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Date: 01.12.2025

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