



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

[3460]

THURSDAY, THE FOURTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 33710/2025

Between:

1. G. NAGESWARA RAO,, S/O. PULLAPPA, AGED ABOUT 46 YEARS, OCC HEAD MASTER MANDAL PRAJAPARISHAD SCHOOL, SECOND WARD, GORANTIA, RESIDING AT SHAMU COMPLEX, GANGAM PALLY ROAD, GORANTIA, SRI SATYA SAI DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, SCHOOL EDUCATION DEPARTMENT, VELAGAPUDI, AT AMARAVATI.

2. THE DISTRICT SCHOOL EDUCATIONAL OFFICER, SRI SATYA SAI DISTRICT, AT PUTTAPARTHY.

3. THE MANDAL EDUCATIONAL OFFICER, GORANTIA MANDAL, SRI SATHYA SAI DISTRICT.

4. MR HUSSAIN SAB, S/O. P. FAKRUDDIN, AGED, 36 YEARS, OCC AUTO DRIVER, RESIDING AT SHIVALAYAM COLONY, GORANTIA TOWN AND MANDAL, SRI SATYA SAI DISTRICT.

...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 may be pleased to issue an

appropriate writ or order more particularly one in nature of Writ of Mandamus declaring the action of the respondent authorities especially 2nd respondent / District School Education Officer, Sri Sathya Sai District, in issuing the proceedings in R.C.No. 0320/B2/2025 dated 05.02.2025 suspending the petitioner from service in pursuance of the crime No. 22 of 2025 dated 4.02.2025 and the action of the 3rd respondent, as illegal, arbitrary and against the principles of the natural justice and consequently set aside the proceedings in R.C.No. 0320/B2/2025 dated 05.02.2025 issued by the 2nd respondent and to pass such

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

Counsel for the Petitioner:

1. SESHADRI GOALLA

Counsel for the Respondent(S):

1. GP FOR SERVICES II

The Court made the following:

HON'BLE SRI JUSTICE NYAPATHY VIJAY**W.P.No.33710 of 2025****ORDER :**

In the present writ petition, Petitioner is questioning the action of the Respondent-Authorities for issuing Proceedings in Rc.No.0320/B2/2025 dated 05.02.2025 suspending the Petitioner from service in pursuance to Crime No.22 of 2025 dated 04.02.2025 as illegal and arbitrary.

2. The Petitioner was suspended from service as there were allegations about his misbehavior with the daughter of Respondent No.4, which led to filing of First Information Report in Cr.No.22 of 2025 dated 04.02.2025 for the offences under Section 75(1) of Bharatiya Nyaya Sanhita, 2023 and under Section 9 r/w 10 of Protection of Children from Sexual Offences Act, 2012.

3. Subsequently, Petitioner filed a quash petition in CrI.P.No. 2317 of 2025 before this Court and this Court granted stay vide order dated 05.03.2025 and the same was extended until further orders. Later, Respondent No.4 addressed a letter to the District Educational Officer and Mandal Educational Officer stating he filed a false case against the Petitioner at the instigation of others. Subsequently, Petitioner gave representations on 26.03.2025 and

15.06.2025 to Respondent-Authorities requesting to take him into service. Despite, the same, Respondent-Authorities failed to consider the case of the Petitioner. Hence, the present writ petition is filed.

4. Learned counsel for the Petitioner submits that Petitioner is a blind person and the allegations made against the Petitioner in the First Information Report are totally false and there is no reason for the impugned order of suspension. Learned counsel for the Petitioner further submitted that despite several requests and representations from the Petitioner, Respondent-Authorities did not consider the case of the Petitioner permitting him to rejoin into the service. Further contention of the learned counsel for the Petitioner is that the Petitioner was targeted by Respondent No.4 in collusion with another person.

5. Learned Government Pleader appearing for Respondent Nos.1 to 3 submits that the allegations against the Petitioner are serious in nature and relate to his misbehavior with a girl-child and it is not in the interest of the State to reinstate the Petitioner.

6. Heard Sri Seshadri Goalla, learned counsel for the Petitioner and learned Government Pleader for Services for the Respondent Nos.1 to 3.

7. As the Petitioner was suspended from 07.02.2025, the same is required to be re-examined in terms of G.O.Ms.No.22, dated 29.02.2024 and in that view, the writ petition is disposed of with the following directions:-

- (i) The Respondent-Authorities shall examine the requirement of continuance of Petitioner under suspension in terms of G.O.Ms.No.22, General Administration (Ser-C) Department, dated 29.02.2024 within a period of two (02) weeks from today and pass appropriate orders.
- (ii) No order as to costs.

As a sequel, the miscellaneous petitions if any shall stand dismissed.

NYAPATHY VIJAY, J

Date: 04.12.2025

CHS

HON'BLE SRI JUSTICE NYAPATHY VIJAY

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Date: 04.12.2025

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