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APHC010323772026

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

[3460]

THURSDAY, THE 2nd DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 17297/2026

Between:

1. KARATAMPATI PENCHALAIAH, S/O K. NARASAYYA, AGED ABOUT 47 YEARS, OCC FIELD ASSISTANT/SENIOR MATE (UNDER SUSPENSION) AKBARABAD GRAM PANCHAYAT, ANUMASAMUDRAMPETA MANDAL, SPSR NELLORE DISTRICT, ANDHRA PRADESH-524 234.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, SECRETARIAT BUILDINGS, AMARAVATI. 522238
2. THE COMMISSIONER, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, ANDHRA PRADESH 521108
3. THE DISTRICT COLLECTOR, SPSR NELLORE DISTRICT.

524001

4. THE PROJECT DIRECTOR, THE DISTRICT WATER MANAGEMENT AGENCY AND THE ADDITIONAL DISTRICT PROGRAMME COORDINATOR, MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE SCHEME, ANDHRA PRADESH, SPSR NELLORE DISTRICT. 524001

5. THE MANDAL PARISHAD DEVELOPMENT OFFICER CUM ADDITIONAL PROGRAMME COORDINATOR, MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE SCHEME, ANDHRA PRADESH, ANUMASAMUDRAMPETA MANDAL, SPSR NELLORE DISTRICT 524001

...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 topleased to issue a writ of mandamus or any other appropriate writ or direction declaring the show cause notice cum temporarily keeping out of emplo3mient orders issued by the 4th respondent in Rc No.A8/2545/HRCell/2025 dated 03.02.2026 in keeping the petitioner out of employment as Field Assistant/Senior Mate of Akbarabad Gram Panchayat, Anumasamudrampeta Mandal, SPSR Nellore District as illegal, arbitrary, and contrary to FAHR Policy issued in Circular No. 666/EGS(P)/2012 dated 08.01.2013 and set aside the same and consequently direct the Respondents to continue the Petitioner as Field Assistant/Senior Mate of Akbarabad Gram Panchayat, Anumasamudraihpeta Mandal, SPSR Nellore District and pass

IA NO: 1 OF 2026

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 pleased to direct the

respondents herein to continue the petitioner as Field Assistant/Senior Mate of Akbarabad Gram Panchayat, Anumasamudrampeta Mandal, SPSR Nellore District by suspending the order passed by the 4 th respondent vide Rc No.A8/2545/HRCell/2025 dated 03.02.2026, pending disposal of the writ Petition and pass

Counsel for the Petitioner:

1. TADDI SOWMYA NAIDU

Counsel for the Respondent(S):

1. GP FOR SERVICES I

The Court made the following:

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY

W.P.No.17297 of 2026

O R D E R:

The present Writ Petition is filed questioning the action of the 4th Respondent in issuing proceedings-cum-show-cause notice *vide* Rc.No.A8/2545/HRCell/2025, dated 03.02.2026 keeping the Petitioner temporarily out of employment as Field Assistant, as arbitrary and illegal.

2. The facts leading to the filing of the case are as follows:-

The Petitioner is working as Field Assistant/Senior Mate in Akbarabad Gram Panchayat, Anumasamudrampeta Mandal from the year-2023 and on a complaint given by the villagers, enquiries were conducted and proceedings-cum-show-cause notice *vide* Rc.No.A8/2545/HRCell/2025, dated 03.02.2026 were issued keeping the Petitioner temporarily out of employment as Field Assistant and to submit explanation within seven days. After receipt of notice, Petitioner submitted his explanation dated 07.02.2026 denying the allegations to the 4th respondent.

3. It is the contention of the learned counsel for the Petitioner that as the enquiry proceedings were not concluded within the

time specified in Clause 13 (B)(5) of the Field Assistants Human Resource Policy i.e., 30 days, the Petitioner is entitled to be reinstated into service. The counsel also relied on an order passed in similar circumstances by a co-ordinate Bench of this Court in W.P.No.16643 of 2025.

4. Learned standing counsel Sri M.S.R.Chandra Murthy, submits that the enquiry is going on and the same would be concluded within three weeks. The further contention is that the guidelines are not statutory and even otherwise, no consequence is stated for non-compliance of the time frame of 30 days and therefore, the same cannot be said to be mandatory. The maintainability of the Writ Petition was also urged as the nature of job of the Petitioner is akin to Labour.

5. Having heard the respective counsel, this Court, without going into the issues urged by the learned Standing Counsel for Respondents, is inclined to dispose of the writ petition in terms of W.P.No.16643 of 2025 with a direction to the 4th respondent to reinstate the Petitioner into service and conclude the enquiry after providing due opportunity of hearing to the Petitioner within a

period of three (3) weeks from the date of receipt of copy of this order. No order as to costs.

As a sequel, pending applications, if any, shall stand closed.

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NYAPATHY VIJAY, J

Date: 02.07.2025
chs
Whether the order is:

Speaking	✔	Reasoned	
Reportable		Non-reportable	✔

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

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Dt. 02.07.2026

chs