

**HON'BLE SRI JUSTICE R. KANTHA RAO**

**Writ Petition No.16218 of 2015**

**ORDER:**

Heard the learned counsel appearing for the petitioner and the learned Government Pleader for Panchayat Raj and Rural Development.

2. This writ petition is filed seeking writ of *Mandamus* declaring the action of the 3<sup>rd</sup> respondent in removing the petitioner on temporarily out of contract by his proceedings dated 01.09.2014 without giving any opportunity, as illegal and arbitrary.

3. The petitioner was appointed as Field Assistant on 05.05.2008 in the office of the 3<sup>rd</sup> respondent. Basing on the social audit report dated 11.01.2010, a show cause notice dated 25.05.2012 was issued to the petitioner and thereafter, the impugned order dated 01.09.2014 was passed against him by the 3<sup>rd</sup> respondent. The allegation against the petitioner seems to be that he misappropriated an amount of Rs.9,252/- by preparing fake job cards. In any event, the petitioner preferred an appeal to the 2<sup>nd</sup> respondent-District Collector, Anantapuram District, long back and the same is pending with the Appellate Authority, without passing any orders. Since the appeal is pending with the Appellate Authority, this court is not inclined to go in to the merits of the case.

4. Therefore, this writ petition is disposed of directing the 2<sup>nd</sup> respondent-Appellate Authority, to dispose of the appeal preferred by the petitioner, within a period of eight (8) weeks from the date of receipt of a copy of this order, after affording opportunity of hearing to the petitioner and the petitioner is at liberty to produce relevant documents if any at the time of hearing. Miscellaneous applications, if any, shall stand closed. No order as to costs.

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***R. KANTHA RAO, J***

Date: 17.06.2015

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