

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

WP No.20875 of 2015

Between:

G. Kalavathi

...Petitioner

And:

State of Andhra Pradesh, rep. by its
Principal Secretary – Panchayat Raj,
Secretariat, Hyderabad & 2 others

... Respondents

DATE OF JUDGMENT PRONOUNCED: 16.07.2015

SUBMITTED FOR APPROVAL:-

THE HON'BLE SRI JUSTICE R. KANTHA RAO

1. Whether Reporters of Local newspapers may Yes/No
 be allowed to see the Judgments?
2. Whether the Copies of Judgment may Yes/No
 be marked to Law Reporters/Journals
3. Whether Their Lordship wish to see the Yes/No
 fair copy of the Judgment?

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.20875 of 2015

ORDER:

Heard Sri C. Raghu, learned counsel appearing for the petitioner, learned Government Pleader for Panchayat Raj for R.1, Sri M.S.R. Chandra Murthy, learned Special Counsel for R.2 and Sri G. Seshadri, learned counsel for the 3rd respondent.

2. This writ petition is filed seeking writ of *Mandamus*, declaring

the action of the 2nd respondent in issuing proceedings dated 09.06.2015 recalling the order dated 01.06.2015 where under the petitioner has been exonerated from the charges, as illegal and arbitrary.

3. According to the petitioner, she has been working as Field Assistant in the office of the 3rd respondent since 04.06.2006. While so on 26.08.2014, the 2nd respondent passed an order terminating the petitioner from services for corruption charges and also directed to recover an amount of Rs.11,331/- from the petitioner. However, by order dated 01.06.2015, the 2nd respondent exonerated the petitioner from the charges and reinstated into service. Again by order dated 09.06.2015, the original order dated 26.08.2014, was restored on the ground that the order dated 01.06.2015 was passed by mistake.

4. Learned counsel appearing for the petitioner submits that since the petitioner was reinstated by order dated 01.06.2015, passing of subsequent order on 09.06.2015, is illegal and therefore, she has to be reinstated into service. On the other hand, learned special counsel appearing for the 2nd respondent submits that since the order dated 01.06.2015 was passed by mistake, there is no force in the contention of the learned counsel appearing for the petitioner that the petitioner shall be reinstated into service by virtue of the order passed on 01.06.2015 by the 2nd respondent.

5. In any event, as the appeal filed by the petitioner against the order of termination dated 26.08.2014 is pending before the District Collector, Ananthapuramu, I am not inclined to go into the merit of the contentions raised by both the learned counsel.

6. The writ petition is, therefore, disposed of directing the District Collector, Ananthapuramu, to dispose of the appeal filed by the petitioner, advertent to the afore mentioned contentions raised by both

the learned counsel, and also by affording an opportunity of personal hearing to the petitioner, within a period of eight (8) weeks from the date of receipt of a copy of this order. Miscellaneous petitions, if any, in this writ petition, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 16.07.2015
BSS

HON'BLE SRI JUSTICE R. KANTHA RAO

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Writ Petition No.20875 of 2015

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BSS

Date: 16.07.2015