

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

WRIT PETITION NO.11202 OF 2005

Between:

S.K. Nanne Saheb

... Petitioner

and

Govt. of A.P. rep. by its Secretary, Law
Department and another

... Respondents

DATE OF JUDGMENT PRONOUNCEMENT : 11th AUGUST,
2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE SANJAY KUMAR

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| 1. | Whether Reporters of Local newspapers
may be allowed to see the judgment? | Yes/No |
| 2. | Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. | Whether their Lordship wishes to
see the fair copy of the judgment? | Yes/No |

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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ORDER

The petitioner was appointed as an Additional Public Prosecutor in the Court of the learned IV Additional District and Sessions Judge, Nellore. By G.O.Rt.No.729, Law (L.A.&J-Courts.A2) Dept., dated 20.04.2005, his engagement was terminated with immediate effect. Aggrieved thereby, he filed this writ petition.

Sri K.Satyanarayana Murthy, learned counsel for the petitioner, would contend that his client is not desirous of continuing as an Additional Public Prosecutor once the Government decided to do away with his services. However, his complaint is that the impugned GO cast a stigma upon the petitioner and that no notice or opportunity was given to him before such adverse findings, reflecting upon his reputation and character, were recorded.

Perusal of the impugned GO lends support to the contention of the learned counsel. The Government recorded various adverse findings against the petitioner and went to the extent of stating that his reply was a clear lie. Admittedly, no notice was given to the petitioner nor was he given an opportunity of hearing before these findings were recorded.

On that short ground, the writ petition is allowed. The impugned GO is liable to be set aside in all respects except for the concluding portion whereby the services of the petitioner were terminated. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

11th AUGUST, 2015
PGS