

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

**TUESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FIFTEEN**

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.42113 of 2015

Between:

Smt. Venkata Lakshmi,
W/o. Narayana Rao,
Aged 33 years, Occ: Anganwadi Worker,
R/o. Paturu-II Village, Vepada Mandal,
Vizianagaram District, Andhra Pradesh.

.. Petitioner

AND

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Child & Women Welfare Department,
Secretariat, Hyderabad & 3 others

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.42113 of 2015

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ORDER:

With the consent of the learned counsel for the petitioner and the learned Assistant Government Pleader for Women & Child Welfare appearing for the respondents, this writ petition is disposed of at the admission stage.

2. The petitioner was appointed as Anganwadi Worker in Paturu-II Village, Vizianagaram District, in the year 2002. The petitioner was served with show cause notice, dated 13.08.2015, levelling several allegations.

3. Learned counsel for the petitioner contends that though the petitioner sought to file explanation, but the respondent authorities refused to receive and, therefore, she could not file explanation. The petitioner challenges the proceedings, dated 12.10.2015, by which her services are now terminated.

4. A bare perusal of the impugned order, dated 12.10.2015, would show that there is no reference to the earlier show cause notice and there is no discussion on the allegations made against the petitioner. On the contrary, there is a reference to some other report of the proceedings of the District Collector, dated 22.09.2015, complaint of Upa-Sarpanch of Paturu Village and report of the Assistant Project Director, District Women and Child Development Agency, Vizianagaram, dated 31.07.2015. It is not stated as to what are the

contents of the report and whether the petitioner was involved in the process of examining the allegations. Since the order of termination is stigmatic and the petitioner is now thrown out of service after 13 years, I am of the opinion that the impugned order, dated 12.10.2015, is not sustainable and it is liable to be set aside.

5. Learned Assistant Government Pleader fairly submits that the order does not reflect the earlier show cause notice.

6. Accordingly, the impugned order, dated 12.10.2015, is set aside and the matter is remitted to the stage of the show cause notice, dated 13.08.2015. It is also open to the competent authority to issue supplemental show cause notice, if there are other allegations against the petitioner, as may have been the basis for the impugned order, dated 12.10.2015. The petitioner shall file explanation within a period of two (2) weeks from the date of receipt of copy of this order. If any supplemental show cause notice is issued, the petitioner shall file additional explanation within a period of two (2) weeks from the date of receipt of supplemental show cause notice. On receipt of the explanation from the petitioner, appropriate further proceedings shall be taken, as warranted by law, by following the due procedure as required.

7. Accordingly, the Writ Petition is allowed. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 29th December, 2015

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