

HON'BLE SRI JUSTICE P.NAVEEN RAO

Writ Petition No.36988 of 2015

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ORDER:

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This writ petition is filed seeking writ of Mandamus to declare the impugned proceedings dated 31.03.2015 issued by the 3rd respondent removing the petitioner from the post of Field Assistant of Poluku Village, Valetivaripalem Mandal, Prakasam District, as illegal and arbitrary.

2. The petitioner is a Field Assistant. Alleging misappropriation of funds under Mahatma Gandhi National Rural Employment Scheme (MGNRES), disciplinary proceedings were initiated against the petitioner, resulting in removal from service vide proceedings dated 31.03.2015 of the Project Director-3rd respondent.

3. As per the circular instructions governing the Field Assistants, against the decision of the Project Director, an appeal lies to the District Collector. Admittedly, without exhausting the said remedy of appeal, the petitioner filed the present writ petition.

4. When the matter is taken up for hearing, learned counsel for the petitioner states that there is remedy of appeal available and the petitioner intends to avail the said remedy of appeal.

5. Accordingly, the writ petition is disposed of granting liberty to the petitioner to avail remedy of appeal against the impugned order dated 31.03.2015 passed by the Project Director to the District Collector. If such appeal is filed by the petitioner against the removal from service within two weeks, the District Collector is directed to dispose of the said appeal within eight (8) weeks thereafter in accordance with the

rules. Pending miscellaneous petitions, if any, in this writ petition, shall stand closed.
No order as to costs.

P. NAVEEN RAO, J

Date: 26.11.2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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