

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.31918 of 2015

ORDER:

Heard Sri K. Srinivas, learned counsel appearing for the petitioner, learned Government Pleader for Panchayat Raj, Sri MSR Chandra Murthy, learned special counsel for the 3rd respondent and Sri G.Seshadri, learned standing counsel for the 4th respondent.

2. This writ petition is filed seeking writ of *Mandamus* declaring the action of the 3rd respondent in removing the petitioner vide order dated 25.06.2014 without there being any fresh allegations, as illegal and arbitrary.

3. The petitioner was appointed as Field Assistant at Yerragunta Gram Panchayat, Kundurpi Mandal, Ananthapuram District. While so, on certain allegations, a show cause notice dated 15.05.2012 was issued to the petitioner and after affording opportunity of personal hearing on 09.06.2014, he was removed from service vide impugned order dated 25.06.2014 of the 3rd respondent, after recording a finding that the petitioner resorted to misappropriation of Rs.34,578/- by preparing fake job cards.

4. Learned counsel appearing for the petitioner submits that the finding recorded against the petitioner is not supported by any evidence and therefore, it is liable to be set aside. He further submitted that the petitioner preferred an appeal against the impugned order to the Appellate Authority-Commissioner, Rural Development, Andhra Pradesh, Hyderabad, on 25.08.2014 and the same is pending.

5. Since the appeal filed by the petitioner is pending with the Appellate Authority, I am not inclined to go into the merits of the impugned order. In the circumstances, the Appellate Authority-Commissioner of Rural Development is

directed to dispose of the appeal dated 25.08.2014 filed by the petitioner, in accordance with law, within a period of eight (8) weeks, thereafter.

6. The writ petition is accordingly disposed of. Miscellaneous petitions, if any, in this writ petition, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 01.10.2015

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