

**HON'BLE SRI JUSTICE R.KANTHA RAO**

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**Writ Petition No.29703 of 2015**

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**ORDER:**

Heard Sri Thota Gopinath, learned counsel appearing for the petitioner, learned Government Pleader for Panchayat Raj, Sri Cheemalapati Ravi, learned standing counsel for the 3<sup>rd</sup> respondent and Sri MSR Chandra Murthy, learned special counsel for the 4<sup>th</sup> respondent.

2. The petitioner was appointed as Field Assistant of Venkatanayunipalle Village, Dhone Mandal of Kurnool District. On certain allegations against the petitioner, the 3<sup>rd</sup> respondent issued notice dated 11.02.2015 calling for the explanation of the petitioner. The petitioner submitted his explanation on 20.02.2015. Thereafter, an enquiry was conducted against the petitioner and the 3<sup>rd</sup> respondent by order dated 12.07.2015, removed the petitioner from service. Assailing the same, the present writ petition is filed seeking a direction to the respondents to reinstate the petitioner.

3. The efficacious alternative remedy by way of appeal is available to the petitioner. The issue involved in the present writ petition requires appreciation of evidence and therefore, the petitioner is directed to file an appeal before the 2<sup>nd</sup> respondent against the impugned order dated 12.07.2015 and after presentation of the appeal, the 2<sup>nd</sup> respondent is directed to dispose of the appeal, in accordance with law, after affording opportunity of hearing to the petitioner, within a period of eight (8) weeks thereafter. It is further directed that the respondents shall not fill-up the post held by the petitioner till the disposal of the appeal by the 2<sup>nd</sup> respondent.

4. The writ petition is accordingly disposed of at the stage of admission. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. No

costs.

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***R.KANTHA RAO, J***

Date: 11.09.2015

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**HON'BLE SRI JUSTICE R.KANTHA RAO**

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