

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No.36429 of 2016

Between:

K. Sanjay Ratna Kumar

PETITIONER

And

1. The State of Andhra Pradesh, rep. by its Principal Secretary, MA & UD Department, Secretariat, Hyderabad-22, and others.

RESPONSENTS



THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No.36429 of 2016

ORDER: (Per Hon'ble Sri Justice V. Ramasubramanian)

The petitioner has come up with the above writ petition challenging the dismissal of his application by the Administrative Tribunal, seeking promotion without reference to the pendency of the charge memo.

2. Heard Dr. Lakshminarasimha, learned counsel appearing for the petitioner.

3. Admittedly a charge memo dated 28.10.2014 was issued against the petitioner, on account of which he claims that he was overlooked for promotion. But in the written instructions submitted by the Director of Town and Country Planning to the learned Government Pleader, it is submitted that the petitioner did not become eligible for the panel year 2015-16. For the panel year 2016-17 commencing from 01.09.2016, the Director of Town and Country Planning has stated in his written instructions, which is extracted as follows:

“Whereas the promotion as sought for by the Petitioner to the next higher post of DDTP is a 2nd level Gazetted and Selection post. For effecting promotion to said category post the matter should be placed before the Selection Committee (DPC) and the said Committee would decide the eligibility of the candidates for promotion as per their suitability, eligibility and in accordance with the existing service rules. Therefore, the said Committee as the case may be would examine and decide the eligibility or otherwise of the candidates for promotion to the post of DDTP, with reference to the existing guidelines issued by the Government, including the petitioner in the panel year 2016-17 (commenced from 01.09.2016).

4. We are of the considered view that the above stand would squarely meet what is permissible by law. Therefore, the writ petition is disposed of recording the above statement and directing the Government

to take action as per the statement made above and pass orders within a period of four weeks.

5. As a sequel, pending miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

JUSTI CE V. RAMASUBRAMANIAN

JUSTI CE G. SHYAM PRASAD

30th November, 2016
Js.



THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No.36429 of 2016



Date: 30-11-2016

Js.