

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.13730 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, questioning the final order passed by the 3rd respondent – the Project Director and Joint Collector, District Water Management Agency, East Godavari District vide order No.H.R./15/EGSA/DWMA/2015, dated 19-02-2016, terminating the services of the petitioner.

Heard Smt.K.V. Rajasree, learned counsel for the petitioner, learned Government Pleader for Panchayat Raj for respondent No.1, Sri M.S.R. Chandramurthy, learned Standing Counsel for respondents 2 to 4 and Sri Chimalapati Ravi, learned Standing Counsel for respondent No.5.

When the matter is taken up, a preliminary objection with regard to the maintainability of the writ petition is taken by Sri M.S.R. Chandramurthy, learned Standing Counsel for respondents 2 to 4 contending that as against the orders impugned there is a remedy of appeal to the 2nd respondent – District Collector and without exhausting the said alternative remedy the present writ petition has been filed directly before this Court.

In view of the availability of alternative remedy of appeal against the impugned order of termination, this Court is not inclined to entertain the present writ petition. However, this Court is of the considered opinion that the ends of justice would be served if the petitioner is permitted to file an appeal before the 2nd

respondent against the orders of termination passed by the 3rd respondent.

For the aforesaid reasons, the writ petition is disposed of, permitting the petitioner herein to file an appeal against the orders of termination passed by the 3rd respondent within a period of one month from the date of receipt of a copy of this order and if any such appeal is filed within the time stipulated the 2nd respondent is directed to dispose of the same within a period of three (3) months thereafter.

Miscellaneous Petitions pending, if any, shall stand closed.
There shall be no order as to costs.

A.V. SETHA SAI, J

April 25, 2016

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