

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE N. BALAYOGI

WRIT PETITION No.10899 of 2017

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

The petitioner is the applicant in O.A.No.440 of 2017 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad. He filed the said O.A. impugning the proceedings dated 06.01.2017 issued by the District Revenue Officer, Chittoor District, dismissing him from service. By order dated 22.02.2017, the Tribunal dismissed the O.A. taking note of the fact that the petitioner had approached it without availing the alternative remedy of appeal provided by the statute.

Sri R.Satyanarayana Murthy, learned counsel for the petitioner, would contend that the petitioner did, in fact, file an appeal but a copy of the same is not available with him. He would further state that there are various errors committed by the disciplinary authority which culminated in the dismissal of the petitioner from service and that the same can be looked into in this writ petition.

We are however not persuaded to agree as statutory hierarchical remedies are provided to the aggrieved employee so as to give him an opportunity to seek redressal of his grievances even on factual aspects. Trite to state, this Court in exercise of writ jurisdiction would not look into such factual issues. The petitioner would therefore be better off before the appellate authority in the first instance. As it is stated that the petitioner has already availed the remedy of appeal, it is for him to pursue the same before the appellate authority.

Leaving it open to the petitioner to do so, the writ petition is dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.

SANJAY KUMAR, J

N. BALAYOGI, J

27th March, 2017
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