

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

W.P.No. 29265 OF 2017

DATED 30TH AUGUST, 2017

Between:

L.Subrahmanyam

... Petitioner

AND

The State of Andhra Pradesh,
Rep. by its Principal Secretary to Government,
Municipal Administration &
Urban Development (B1) Department,
Secretariat, Guntur,
Andhra Pradesh and others

... Respondents

Counsel for the petitioner

:

Sri Dr. P.B.Vijaya Kumar

Counsel for respondent No. 1

:

G.P. for Services (A.P.)

Counsel for respondent No. 2

:

Sri P.Jagadish Chandra Prasad

Counsel for respondent No. 3

:

--

THE COURT MADE THE FOLLOWING

ORDER: (per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

The petitioner, who is working as Planning Officer in Visakhapatnam Urban Development Authority, filed this Writ Petition feeling aggrieved by dismissal of his O.A. filed questioning his substitution as full additional charge of Chief Urban Planner with respondent No. 3.

2. The petitioner pleaded that by order dated 31-07-2017, he was kept in full additional charge of the post of Chief Urban Planner by Vice-Chairman of respondent No. 2 and that ignoring the same, respondent No. 1 has issued G.O.Rt.No. 560 dated 04-08-2017 keeping respondent No. 3 as full additional charge to the post of Chief Urban Planner, Visakhapatnam. It is not the pleaded case of the petitioner that neither respondent No. 1 is competent to issue the aforementioned G.O. nor respondent No. 3 is ineligible to be kept in full additional charge of the post of Chief Urban Planner. The petitioner also failed to point out any rule or regulation governing appointment of persons as full additional charge in office. In the absence of any such regulation, the act of keeping officers as full additional charge falls in the realm of discretion of competent authority. Once the competent authority for its own reasons exercised such discretion, no Court or Tribunal would interfere with the exercise of such discretion. Therefore, the Tribunal has rightly dismissed the O.A. filed by the petitioner. Hence, we do not find any reason to interfere with the impugned order of the Tribunal.

4. The Writ Petition is accordingly dismissed.

5. As a sequel to dismissal of the Writ Petition, W.P.M.P.No. 36414 of 2017 shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J.

GUDISEVA SHYAM PRASAD, J.

Date: 30-08-2017.

JSK

