

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.18263 OF 2018

Dated:06.06.2018

Between:

Smt. M. Venkata Saritha, D/o. Sarath Babu,
Aged 39 years, Occ: Employee,
R/o.D.No.5-3, Tadikonda, Guntur District .. Petitioner

And

The State of Andhra Pradesh, rep., by its
Principal Secretary, Education Department,
Secretariat, Velagapudi Village,
Amaravathi, Guntur District and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.18263 OF 2018****ORDER:**

Heard learned counsel for the petitioner and learned Government Pleader for Education appearing for respondents 1 to 4.

2. Petitioner while working as Record Assistant in an unaided post was absorbed into Aided Post. While so, proceedings dated 10.05.2018 were issued calling upon the petitioner to submit her explanation as to why absorption made earlier should not be cancelled.

3. Learned counsel for the petitioner submits that the petitioner was absorbed earlier by following due procedure and order was passed by the Commissioner of School Education on 02.07.2017, whereas by referring to some subsequent clarification issued by the Commissioner, the proceedings impugned were issued. He further submits that the Regional Joint Director of School Education, Guntur, is not competent to cancel the absorption granted earlier, as the earlier order of absorption was passed by the Commissioner.

4. The correspondence referred to in the impugned proceedings is not filed. It appears, some clarification was issued on 04.05.2018 based on which the impugned proceedings were issued. Further, the present proceedings are only a show cause notice calling upon the petitioner to show cause as to why the absorption made earlier should not be cancelled. Thus, the Court

is not inclined to entertain the Writ Petition. It is open to the petitioner to raise all objections in law. It is also open to her to make a request to supply the copies referred to in the impugned proceedings and to make a comprehensive explanation in respect of the documents.

5. The Writ Petition is accordingly disposed of granting liberty to the petitioner to make a request to supply all the documents. If such a request is made within two weeks from today, the Regional Joint Director of School Education shall supply the copies referred to in the impugned proceedings. On supply of such documents, the petitioner shall file her explanation within two weeks thereafter and the Regional Joint Director of School Education shall examine the said explanation objectively uninfluenced by the observations made in the show cause notice and pass appropriate orders as warranted by law. Till a decision is made by the Regional Joint Director of School Education, the status of the petitioner as Record Assistant in Aided Post shall not be disturbed. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:06.06.2018

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