

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.18940 OF 2018

Date: 14.06.2018

Between:

Smt Chodipilli Anjali Kumari, W/o Srinivas,
Aged about 27 years, R/o D.No.159,
Venkatanagaram Village, Payakaraopet Mandal,
Visakhapatnam District.

.....Petitioner

and

The State of Andhra Pradesh, Panchayat Raj and
Rural Development Department, represented by its
Principal Secretary, Secretariat, Velagapudi,
Amaravathi, Guntur District and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner filed this writ petition challenging the order of Mandal Parishad Development Officer, Mandal Praja Parishad, Payakaraopeta, dated 24.05.2018. By this order, by noting that status of Venkatanagaram Gram Panchayat has been downgraded from list-I to list-III, he removed the name of petitioner as Field Assistant and authorized Senior Mate Sri K.Trimurtulu, Rajavaram Gram Panchayat, to look after the MGNREGS activities and works etc., of Venkatanagaram Gram Panchayat.

2. The primary contention against this order is Mandal Parishad Development Officer is not competent to affect the service conditions of Field Assistants.

3. Learned Special Standing Counsel fairly agrees that Mandal Parishad Development Officer is not competent and order is not valid in law. He would further submit that the Project Director had issued show-cause notice dated 21.03.2017 and petitioner filed her explanation on 23.02.2017. But, so far no further orders are passed.

4. This Court is not going into that aspect. As the order impugned is not passed by the competent authority, same is liable to be set aside. It is open to the competent authority to take appropriate course of action in accordance with law.

5. Learned counsel for petitioner also submits that even though petitioner has been working, she is not paid pay and allowances from September, 2015. The Project Director is directed to consider

the representation of petitioner dated 30.06.2017 regarding pay and allowances payable to her and if petitioner has worked during the period and if she is entitled to pay and allowances, the same shall be determined and paid to her within a period of six weeks from the date of receipt of copy of this order.

6. Writ petition is accordingly disposed of. Pending miscellaneous petitions shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

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