

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.20508 OF 2018

Date: 10.07.2018

Between:

K.Anjaneyulu, S/o. Gangulaiah, Aged 27 years,
Occu: Field Assistant, r/o. Besthapalli, Harijanawada,
Dinnepadu Panchayat, Parvatharaogaripalli post,
Lakkireddipalli Mandal, YSR District at kadapa,
Andhra Pradesh.

.....Petitioner

And

The State of Andhra Pradesh, rep.by its Commissioner,
Panchayat Raj & Rural Development, Nakkala Road,
Vijayawada, Krishna district and two others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner being Field Assistant challenges the proceedings of Project Director (3rd respondent) addressed to the Mandal Development Officer, Dinnepadu village, dated 21.05.2018, as amounting to removal from service without following due process.

2. On instructions, learned special standing counsel would submit that in fact, what is under challenge is internal correspondence and thereafter, order of termination was passed on 24.05.2018. But, subsequently order of termination was kept in abeyance and order of suspension was passed. He would submit that the authorities would follow due procedure before taking appropriate action against petitioner.

3. Learned counsel for petitioner submits that order of suspension is not served on him.

4. Having regard to the submissions made by the learned special standing counsel, the question of termination of service does not survive any more. However, no formal order of revocation of termination is issued. Perforce, the termination order required to be withdrawn before taking further action. There cannot be any suspension from service before reinstating the petitioner into service by revoking termination order.

5. As fairly stated by the learned special standing counsel, on instructions, that termination order is not pressed and that petitioner will be treated to be in continuous service, it clearly

implies that order of termination of service is no more in force. Therefore, petitioner is entitled to succeed in the writ petition and accordingly writ petition is allowed, directing the respondents to treat the petitioner as in continuous service. However, it is open to respondent authorities to proceed further in accordance with the procedure governing service conditions of Field Assistant.

Pending miscellaneous petitions shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

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