

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.22187 OF 2018

Dated:29.06.2018

Between:

S. Mui Purushotham, S/o. S. Muni Krishnaiah
Shetty, Aged about 58 years, Occ: Senior Seed
Certification Officer (under removal),
R/o.H.No.27-3-125, Saraswathi Nagar,
Nellore, SPSR Nellore District

.. Petitioner

And

The State of Andhra Pradesh,
Rep., bny its Special Chief Secretary-cum-
The Chairman, A.P. State Seeds Certification
Authority, AP Secretariat Buildings,
Velagapudi, Guntur District and another

.. Respondents



The Court made the following:

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ORDER:

Heard.

2. Petitioner is challenging the punishment of removal from service. Though several submissions are made by learned counsel for the petitioner, it emerges that petitioner has remedy of appeal against the order passed by the 2nd respondent - Authority and without availing the said remedy of appeal, petitioner filed this Writ Petition.

3. *Prima facie*, the Court is not inclined to entertain the Writ Petition as petitioner has remedy of appeal. At this stage, learned counsel seeks liberty to raise all contentions/objections before the appellate authority on all aspects including the contentions urged in this Writ Petition and to direct the appellate authority to dispose of the appeal within a fixed time frame.

4. Learned Government Pleader for Agriculture agrees for the same and submits that if petitioner prefers appeal, the same shall be considered and disposed of expeditiously.

5. In view of the said submission, the Writ Petition is disposed of granting liberty to the petitioner to file appeal against the order of removal and to raise all objections/contentions as available in law including the plea of nature of charges, manner of conducting enquiry and the decision of the authority. If such an appeal is preferred, the appellate authority shall objectively consider all the objections raised and shall pass orders by assigning due reasons

on each of the objections within a period of two months from the date of receipt of appeal. 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:29.06.2018

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