

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.26220 OF 2018

DATED :30.07.2018

Between :

Meerajyoth Venkateswara Naik,
S/o.China Deva Naik, Aged 29 yrs,
C/o.Sugali N/o.Boyapalem now at
Guntur working as Police Constable
No.4384 at Arundalpet P.S Guntur Urban

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Petitioner

And

State of A.P.,
Rep., by its Principal Secretary (Home),
Velagapudi, Secretariat, Guntur District & others.

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Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner and learned Government Pleader for Home.

2. Petitioner is an employee in the service of State of Andhra Pradesh, working as Police constable. In the present writ petition his grievance is against initiation and continuation of disciplinary proceedings on the allegation of involvement in a criminal case. Whereas, in the said criminal case, charge sheet is already filed and simultaneous proceedings are not maintainable.

3. As the petitioner is an employee of State of Andhra Pradesh, the remedy available to him is under the Administrative Tribunals Act, 1985 (for short 'the Act'). Aggrieved person has to invoke the jurisdiction of the Andhra Pradesh Administrative Tribunal, constituted under the Act. As held by the Hon'ble Supreme Court in ***L. Chandra Kumar Vs Union of India***¹, the Administrative Tribunal is the Court of first instance and the aggrieved person has to invoke the jurisdiction of Administrative Tribunal.

4. Thus, leaving it open to the petitioner to avail the remedy as available under the Act, the Writ Petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

30th July, 2018
Rds

¹ AIR 1997 SC 1125