

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.33411 OF 2018

Dated:20.09.2018

Between:

Siva Prasad Vishnubhotia,
S/o. V.S.R. Murthy, aged about 61 years,
Occ: District Tribal Welfare Officer
(Retd), R/o.H.No.1-4-332/3,
Satya Nagar Colony, New Maruthi
Nagar Extension, Kothapeta, Hyderabad .. Petitioner

And

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



The Court made the following:

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ORDER:

Heard.

2. Petitioner retired from service as District Tribal Welfare Officer from the State of Andhra Pradesh. In this Writ Petition, petitioner is challenging the charge memo issued to him on various grounds.

3. As the petitioner was employee of the State of Andhra Pradesh and the charge memo is arising out of the service rendered by him in the State of Andhra Pradesh, he has to avail the remedy before the Andhra Pradesh Administrative Tribunal (APAT) constituted under the Administrative Tribunals Act, 1985 (for short, 'the Act'). As held by the Supreme Court in ***L. Chandra Kumar v. Union of India***¹, the APAT is the Court of first instance to adjudicate service disputes and an aggrieved employee cannot directly invoke the jurisdiction of this Court. Since the petitioner has an effective and efficacious remedy provided under the Act, the Court is not inclined to entertain the Writ Petition.

4. The Writ Petition is accordingly dismissed granting liberty to the petitioner to avail appropriate remedies available under the Act. Pending miscellaneous petitions shall stand closed.

P. NAVEEN RAO, J

Date:20.09.2018

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¹ AIR 1997 SC 1125