

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.18744 of 2019

ORDER:

This writ petition is filed seeking the following relief:

“....to issue a writ, order or direction especially one in the nature of writ of mandamus declaring that

a) the charge memo issued in No. VSI(3)/1008/2016, dt: 25.02.2019 is illegal and arbitrary and therefore the same is liable to be set aside.

b) petitioner is entitled to be promoted as Tahsildar without reference to the said charge memo.

c) and pass such order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard Mr. Sridhar Chikyala, counsel for petitioner and the learned Government Pleader for Revenue appearing for the respondents.

It is contended by the petitioner that he is working as Deputy Tahsildar and he is eligible to be promoted to the post of Tahsildar. The grievance of the petitioner is that though he is very much eligible and qualified for promotion to the post of Tahsildar, the respondents are not considering his case for promotion to the said post on the ground that the disciplinary proceedings in the form of charge memo dated 25.02.2019 are pending against him.

Learned counsel for petitioner contended that the State Government has framed guidelines in G.O.Ms.No.257 dated 10.06.1999 to consider the cases of employees for promotion against whom disciplinary proceedings/criminal proceedings are pending. As per G.O.Ms.No.257 dated 10.06.1999, the competent authority must consider the cases of employees against whom disciplinary proceedings/criminal proceedings are pending and pass appropriate orders as to whether they are eligible for promotion. But, in the instant case, the respondents are not considering the case of petitioner for promotion to the post of Tahsildar in terms of G.O.Ms.No.257 dated 10.06.1999. Therefore, learned counsel for petitioner contends that appropriate orders be passed directing the respondents to consider the case of petitioner for promotion to the post of Tahsildar in terms of G.O.Ms.No.257 dated 10.06.1999 and pass appropriate orders.

Learned Government Pleader appearing for respondents has contended that the case of the petitioner for promotion to the post of Tahsildar will be considered in terms of G.O.Ms.No.257 dated 10.06.1999 and appropriate orders would be passed.

This Court, having considered the rival submissions, is of the considered view that the writ petition can be disposed of directing the respondents to consider the case of petitioner for promotion to the post of Tahsildar in terms of G.O.Ms.No.257 dated 10.06.1999 and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of.

No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

15.10.2019

v v



