

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.18927 OF 2019

Date:30.08.2019

Between:

B. Srinivas, S/o. Bikshmaiah,
Aged about 40 years, Occ: Panchayat
Secretary, Grade-I, Village Patangi,
Mandal Choutuppal, District Bhongiri
Yadadri, Telangana State

.. Petitioner

And

The State of Telangana, rep., by its
Principal Secretary to the Panchayat
Raj & Rural Development Department,
Secretariat, Hyderabad and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.18927 OF 2019****ORDER:**

Heard learned counsel for the petitioner and learned Government Pleader for Panchayat Raj.

2. This writ petition is filed challenging the Memo dated 09.08.2019. By this Memo, the service particulars of the persons shown in the list are called to consider them for promotion as Executive Officers, Panchayat Raj and Rural Development. Petitioner apprehends that he will not be considered for promotion, as punishment was imposed against him. According to petitioner, though punishment is withholding of two annual grade increments without cumulative effect, he ought to have been considered for promotion. As fairly submitted by learned counsel for the petitioner, petitioner earlier filed W.P.No.17373 of 2019 seeking identical relief and the said writ petition was dismissed as withdrawn on 14.08.2019. Thereafter, petitioner again filed this writ petition substantially seeking the same relief as sought therein though sought to show the cause of action as emanating from the Memo dated 09.08.2019, whereas from this Memo, only service particulars are called.

3. Since the petitioner has already filed a writ petition and withdrew the same, he could not have filed another writ petition on the same grievance and such action is deprecated. As can be seen from the proceedings, dated 16.04.2018, punishment imposed was withholding of two annual grade increments without cumulative effect. The punishment is yet to be undergone as the

two years incremental stages are not over. Therefore, the petitioner is under currency of punishment and he cannot be treated on par with others, more so when he is under currency of punishment. It is the policy of the Government not to grant promotion to employees undergoing punishment. Knowing fully well and having filed earlier Writ Petition and withdrew the same, the petitioner ought not to have filed another Writ Petition.

4. The Writ Petition is accordingly dismissed. Pending miscellaneous petitions, if any, shall stand closed.

Date:30.08.2019

KH

P. NAVEEN RAO, J

