

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.2489 of 2020

ORDER:

Heard Sri Kowturu Pavan Kumar, learned counsel for the petitioner, and the learned Government Pleader for Services – II representing the learned Government Pleader for Revenue.

2. The petitioner is working as a Village Revenue Officer in Singabupalem Village, Bhadradri Kothagudem District. He belonged to the original unit of Khammam District before the districts were bifurcated and new districts were formed. As a consequent to the formation of new districts, while allocating the staff to the newly formed districts, the District Collector of the erstwhile Khammam was treated as a Nodal Officer to deal with all service matters in respect of the employees working in the new districts until final allocation of employees is made.

3. In other words, the District Collector, Khammam, continues to be the disciplinary authority over the Village Revenue Officer, even if he is working in a different district but that district formed part of the erstwhile Khammam District before the bifurcation of new districts.

4. That being so, by order dated 17.01.2020, impugned in the writ petition, the District Collector, Bhadradri Kothagudem, imposed punishment of dismissal from service. He refers to an approval stated to have been granted on the proposal made by the District Collector, Bhadradri Kothagudem, to impose punishment of dismissal and accordingly, he imposed the punishment. In other words, the order is not passed by the District Collector, Khammam, but was passed by the District Collector, Bhadradri Kothagudem. Mere approval to pass such

an order cannot validate an order *per se* illegal, as the District Collector, Bhadradi Kothagudem is not the disciplinary authority over the Village Revenue Officer. Therefore, the order impugned is set aside and the matter is remanded to the District Collector, Khammam, to take appropriate course of action, as warranted by law, on the disciplinary action initiated against the petitioner.

Accordingly, the writ petition is allowed. There shall be no order as to costs.

The miscellaneous petitions, if any, pending in this writ petition shall stand closed.

February 19, 2020
DSK

P. NAVEEN RAO, J

