APHC010181392025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3506]
(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN

WRIT PETITION NO: 9478/2025

Between:

Ginni Anjaneyulu **...PETITIONER**

AND

The State Of Andhra Pradesh and Others **...RESPONDENT(S)**

Counsel for the Petitioner:

1. V SAI KUMAR

Counsel for the Respondent(S):

1. GP FOR SERVICES I

The Court made the following order:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief/s:-

> *"…*to issue a Writ or Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents more particularly respondents 2 and 3 herein in not effecting the promotion to the petitioner as Assistant Administrative Officer [AAO] though eligible for the same by virtue of G.O.Ms.No.257 General Administration (SER.C) Department dated 10.06.1999 as well as in not considering the request of the petitioner 07.01.2025 for effecting promotion as illegal, arbitrary as well as oppose to Article 14 of the Constitution of India and also oppose to all cannons of justice consequentially direct the respondents to consider the case of the petitioner for promotion as Assistant Administrative Officer [AAO] by considering the representation of the petitioner dated 07.01.2025 in the light of G.O.Ms.No.257 General Administration (SER.C) Department dated 10.06.1999 forthwith and to pass such other order or orders…"

2. Heard Sri V.Sai Kumar, learned counsel for the petitioner and learned Government Pleader for Service-I appearing on behalf of the respondents.

3. The petitioner is working as Superintendent since 2013 and he is stated to be eligible for promotion to the Assistant Administrative Officer [AAO]. He is involved in Crime No.327 of 2020, registered for the offences punishable under Sections 188 and 269 of the Indian Penal Code and Sections 3 and 4 of the Gaming Act, which is presently pending as C.C.No.1721 of 2020 on the file of learned I Additional Chief Judicial Magistrate at Visakhapatnam. The petitioner challenged the same before this Court *vide* Crl.P.No.2251 of 2024. Wherein, this Court stayed the further proceedings. On the

same allegations, the petitioner has been issued charge memo dated 10.07.2020. For which, the petitioner submitted objections on 02.07.2021 and after due inquiry punishment of censure came to be imposed on him by proceedings dated 08.07.2021. The petitioner filed appeal challenging the said proceedings and the same has been confirmed by order dated 13.04.2022. The said punishment of censure came to be completed by 07.07.2022 and since he is eligible for consideration of promotion to the post of Assistant Administrative Officer. Though he is within the zone of consideration, he is not considered.

4. Learned counsel for the petitioner states that charge memo was issued when the petitioner's case was under consideration for promotion to the post of Assistant Administrative Officer and he would urge that it would suffice, if a direction be given to the respondents to consider his case for promotion in terms of G.O.Ms.No.257, General Administration (Ser.C) Department, dated 10.06.1999.

5. Learned Government Pleader for Services-I did not refute the submissions of the learned counsel for the petitioner.

6. Given the facts and circumstances of the case, without touching the merits of the matter, the Writ Petition is disposed of, with the consent of both the learned counsel, at the stage of

admission, directing the respondents to consider the petitioner's case for promotion to the post of Assistant Administrative Officer in terms of G.O.Ms.No.257, General Administration (Ser.C) Department, dated 10.06.1999, if the petitioner is in the zone of consideration and fulfills all requisite qualifications. There shall be no order as to costs.

As a sequel, miscellaneous petitions, pending if any, shall stand closed.

JUSTICE CHALLA GUNARANJAN

Date: 10.04.2025
KBN