APHC010362042020

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3330]
(Special Original Jurisdiction)

WEDNESDAY, THE 4th DAY OF NOVEMBER 2026
PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 24108/2020

Between:

1. SRI CH. ANIL KUMAR, S/O. APPA RAO, AGED ABOUT 37 YEARS, WORKING AS SENIOR ASSISTANT AT KING GEORGE HOSPITAL FORMERLY AT PHC SARVASIDHI, VISAKHAPATNAM DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Special Chief Secretary to Government, Health, Medical and Family Welfare department, Secretariat at Amaravati, Guntur District.

...RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an order, direction or an appropriate writ more particularly in the nature of writ of mandamus holding that the charge against the petitioner is not maintainable as it is not in accordance with law and consequently set aside the charge memo GORt No.206, Health, Medical and Family Welfare (VC-II.2) Department dated 21.03.2019 issued to the petitioner and pass

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the impugned charge memo GORt No.206, Health, Medical and Family Welfare (VC-11.2) Department dated 21.03.2019 issued to the petitioner and pass

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased may be pleased to grant leave to the Respondent to file Counter Affidavit and to pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased May be pleased to direct the respondents

to drop all the proceedings in pursuance of the including impugned charge memo GORt.No.206 in the light of the findings recorded by the Enquiry Officer as provided to the petitioner under Right to Information Act through proceeding reference No.012612/VC1A/2020, dt.07-11-2025 on the file of the Director Public Health proposed respondent herein and pass

Counsel for the Petitioner:

1. G V SHIVAJI

Counsel for the Respondent:

1. GP FOR SERVICES I

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.24108 of 2020

ORDER:

The present Writ Petition is filed under Article 226 of the Constitution of India, seeking the following relief:

> "…to issue an order, direction or an appropriate writ more particularly in the nature of Writ of Mandamus holding that the charge against the petitioner is not maintainable as it is not in accordance with law and consequently set aside the charge memo G.O.Rt.No.206, Health, Medical and Family Welfare (VC-II.2) Department, dated 21.03.2019 issued to the petitioner and pass such other order or orders…"

2. The Writ Petition is filed for issuance of Writ of Mandamus holding that the charge framed against the petitioner is not maintainable and it is not in accordance with law. Consequently, prayed to set aside the charge memo *vide* G.O.Rt.No.206, Health, Medical and Family Welfare (VC-II.2) Department, dated 21.03.2019.

3. Heard learned counsel for the petitioner and learned counsel for the respondents.

4. Learned counsel for the petitioner would submit that the respondents appointed an Enquiry Officer and the Enquiry Officer, upon conducting enquiry, found that the petitioner-Sri Ch.Anil Kumar, had never worked under the control of Addl. District Medical and Health Officer, Paderu. The petitioner also never worked in Chintapally division. Hence, he was not involved in any misappropriation of

Government funds under the Chintapally division. Hence, the charge is not proved against the petitioner.

5. In view of the said submissions, the present Writ Petition is disposed of, directing the respondent authorities to take appropriate steps, in accordance with law, on the recommendations made by the Enquiry Officer in the enquiry report dated 05.10.2023, within a period of two (02) months from the date of receipt of a copy of this order. There shall be no order as to costs.

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

JUSTICE TARLADA RAJASEKHAR RAO

Date: 04.11.2026

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No. 24108 of 2020

Date: 04.11.2026

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