APHC010433462026

**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3587]

MONDAY, THE 2nd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT APPEAL NO: 978/2026

Writ Appeal under clause 15 of the Letters Patent the writ appeal by setting-aside the Order dated 13-07-2026 passed by the learned single judge in W.P. No.18636 of 2026 in the interests of justice

Between:

1. NIMMAGADDA VENKATESWARA RAO,, S/O. N. SITA RAMAIAH, AGED ABOUT 60 YEARS, OCC DEPUTY DIRECTOR OF PUBLIC LIBRARIAN, TADEPALLI, GUNTUR DISTRICT, CURRENTLY R/O. D.NO. 12-468, FLAT NO.304, MAHENDRA ENCLAVE, AH 45, TADEPALLI, GUNTUR - 522501

...APPELLANT

AND

1. K KUMAR RAJA, S/O. K. MANIKYAM, AGED ABOUT 57 YEARS, OCC DISTRICT CENTRAL LIBRARIAN AND EX OFFICIO SECRETARY, R/O. D.NO.5-1-194, BEHIND HANUMAN STATUE, USMAN SAHEB PETA, NELLORE DISTRICT - 524002

2. THE STATE OF ANDHRA PRADESH, REP. BY ITS SPECIAL CHIEF SECRETARY, EDUCATION (S.E. SER-1)

PUBLIC LIBRARIES DEPARTMENT, SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT - 522238

3. THE STATE OF ANDHRA PRADESH, REP. BY ITS SPECIAL SECRETARY, EDUCATION (S.E. SER-1) DEPARTMENT, SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT - 522238

4. THE DIRECTOR OF PUBLIC LIBRARIES, MANGALAGIRI, GUNTUR DISTRICT - 522503

...RESPONDENT(S):

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 suspend the operation of Order, dated 13-07-2026 passed by the learned single judge in W.P. No.18636 of 2026

Counsel for the Appellant:

1. YATTAPU BHARATH KUMAR REDDY

Counsel for the Respondent(S):

1. M KRISHNA RAO
2. GP FOR SERVICES III
3. KRISHNA RAO M

The Court made the following:

THE HONOURABLE SRI JUSTICE D RAMESH

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT APPEAL NO: 978/2026

Judgment:- (*Per* Hon'ble Sri Justice D.Ramesh*)*

1. Heard the learned counsel for the appellant and the learned counsel for the respondents.

2. The present Writ Appeal is filed aggrieved by the order dated 13.07.2026 passed by the learned Single Judge in W.P.No.18636 of 2026, whereby the learned Single Judge disposed of the said writ petition without issuing notice to the respondent No.4/appellant herein, whose rights are directly affected by the directions issued therein, particularly with regard to the promotion of the appellant.

3. The learned Single Judge disposed of the said writ petition with the following directions:-

> "*The alleged misconduct pertains to the year-2013 and the impugned proceedings were issued initiating departmental enquiry against the Petitioner in the year-2021 and there is no progress in the departmental enquiry. The delay in initiation and delay in conclusion of the departmental enquiry indicates that the Respondent-Authorities are not serious enough to conclude the enquiry. Apart from that, the solitary article of charge framed against the Petitioner does not involve*

> *any complicated question of law or question of fact to keep the enquiry pending. Therefore, keeping the enquiry pending and denying the promotion to the Petitioner is unfair. For the foregoing reasons, this Writ Petition is disposed of, with the following directions:-*
>
> *(i) The Respondent-Authorities are directed to consider the case of the Petitioner for promotion to the post of Deputy Director of Public Librarian, without reference to the impugned charge memorandum, dated 08.06.2021, subject to the seniority of the Petitioner and rules in- vogue.*

4. The learned counsel appearing on behalf of the appellant submits that, by virtue of the aforesaid directions, the respondent-authorities are now proposing to initiate proceedings for reverting the appellant, which would adversely affect his rights. Therefore, the appellant, being respondent No.4 in the writ petition, ought to have been given an opportunity of being heard and of contesting the writ petition by filing an appropriate counter. He further submits that, on 31.08.2026, this Court passed an interim order directing maintenance of status quo as existing on that date with regard to the said post, in all respects.

5. Today, both the learned counsel have consented to the disposal of the writ appeal by remanding the matter to the learned Single Judge, while providing an opportunity to the appellant/respondent No.4 in the writ petition to file an

appropriate counter within a reasonable period, and requesting the learned Single Judge to dispose of the writ petition on merits as expeditiously as possible.

6. Considering the submissions made by both the learned counsel and upon perusal of the material available on record, without expressing any opinion on the merits of the case, the present Writ Appeal is disposed of by setting aside the impugned order dated 13.07.2026 passed by the learned Single Judge in W.P.No.18636 of 2026 and restoring the writ petition to its original position. The appellant/respondent No.4 in the writ petition is granted liberty to file an appropriate counter within a period of four (04) weeks from today. If any reply is required to be filed by the respondent/writ petitioner, the same shall be filed within a period of three (03) weeks thereafter. Upon completion of the pleadings, the learned Single Judge is requested to consider and dispose of the writ petition on its own merits, in accordance with law. There shall be no order as to costs.

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

JUSTICE D.RAMESH

JUSTICE BALAJI MEDAMALLI

Date: 02.11.2026
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THE HONOURABLE SRI JUSTICE D RAMESH

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

166

W.A.No.978 of 2026

Dated: 02.11.2026

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