Date of reserved for orders : --
Date of pronouncement : 09.10.2026
Date of uploading : 09.10.2026

APHC010525092026

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

FRIDAY, THE 9th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 29279 OF 2026

Between:

1. Konna Venkateswara Rao, S/o Late Chinnarao, Age 60 years, Presently working as Deputy City Planner at Greater Visakhapatnam Municipal Corporation In the cadre of Deputy Director.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Municipal Administration and Urban Development (VIG-I) Department, Secretariat Buildings, Velagapudi, Amravati, Guntur District.

2. The Directorate of Town and Country Planning, Represented by its Director, Municipal Administration and Urban Development Department, Government of Andhra Pradesh, MGM Capital, Ground Floor, NRI Hospital, Junction, Mangalagiri, Guntur District, Amravati.

...Respondents

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 appropriate writ, order or direction more particularly one in the nature in WRIT of MANDAMUS aggrieved by the action of the Respondent in not considering Petitioner's case for promotion to the post of Joint Director at 2nd Respondent Directorate of Town and Country Planning in guise of the impugned Disciplinary Proceedings vide Articles of Charge in G.O.Rt.No.1051, Dated 25.09.2025 of 2nd Respondent, which are founded upon stale and belated allegations pertaining to incidents alleged to have occurred nearly six years prior to the initiation of the disciplinary proceedings which is highly illegal, unjust, arbitrary and contrary to law and violations of Principles of Natural Justice and contrary Articles 14, 16 and 21 of Constitution of India and consequently direct the Respondents to forthwith consider Petitioners case promotion to next level cadre post of Joint Director without referring the aforementioned Disciplinary proceedings vide Articles of Charge in G.O.Rt.No.1051, Dated 25.09.2025 of 2nd Respondent and as per law and pass such other orders.

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 to direct the Respondents to consider Petitioners case for promotion to next level post of Joint Director without referring the pending Departmental proceedings vide G.O.Rt.No.1051, Dated 25.09.2025 of 1st Respondent and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.

Counsel for the Petitioner: S SRINIVASA RAO

Counsel for the Respondents: GP FOR SERVICES IV

The Court made the following order:

Whether the order is :

Speaking Yes/No / Reasoned Yes/No
Reportable Yes/No / Non-Reportable Yes/No

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No.29279 of 2026

ORDER:

1. The present Writ Petition is filed questioning the action of Respondents in initiation and continuation of disciplinary proceedings vide Charge-Memorandum in G.O.Rt.No.1051, Municipal Administration and Urban Development (Vig.I) Department, dated 25.09.2025, as illegal and arbitrary and consider the case of Petitioner for promotion to the post of Joint Director.

2. The Petitioner was joined at the office of Municipal Administration and Urban Development Department on 08.03.1988 in the cadre of Tracer and thereafter, he got promotion to the post of Deputy Director and presently he is working as Deputy City Planner at GVMC, Visakhapatnam. It is stated that now he is eligible and qualified for promotion to the post of Joint Director. While so, Respondent No.1 initiated disciplinary proceedings against the Petitioner and others vide G.O.Rt.No.66, Municipal Administration and Urban Development (Vig.I) Department, dated 31.01.2025 and in continuation thereof, a Charge-Memorandum vide G.O.Rt.No.1047, dated 25.09.2025 was issued to initiate action against the Petitioner under Rule 20 of A.P. Civil Services (CC & A) Rules, 1991.

3. It is stated that after serving the above disciplinary proceedings, the Petitioner submitted statement of defence refuting the aforesaid Charge

and enquiry is stated to be pending. While so, the promotion for the post of Joint Director is being considered and the apprehension of the Petitioner is that his case would not be considered for promotion in view of the pendency of the disciplinary enquiry. In that context, the present Writ Petition was filed.

4. Having heard the respective submissions, this Court is of the opinion that the case of the Petitioner for the post of Joint Director can be considered for promotion in terms of G.O.Ms.No.257, General Administration (Ser.C) Department, dated 10.06.1999

5. Therefore, the Writ Petition is disposed of, with the following directions;

i) The Respondents are directed to consider the Petitioner's case for promotion to the Post of Deputy Director subject to the Petitioner possessing requisite qualifications in terms of G.O.Ms.No.257, General Administration (Ser.C) Department, dated 10.06.1999 taking note of the delay in initiation of the departmental enquiry.

ii) There shall be no order as to costs.

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

NYAPATHY VIJAY, J

Date: 09.10.2026

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THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No.29279 of 2026

Date: 09.10.2026

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