APHC010526972026

**IN THE HIGH COURT OF ANDHRA PRADESH**
**AT AMARAVATI [3460]**
**(Special Original Jurisdiction)**

THURSDAY, THE 8th DAY OF OCTOBER 2026

**PRESENT**

**THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY**

**WRIT PETITION NO: 29129/2026**

**Between:**

1. DOILA MALLAIAH, S/O D.GOVINDARAJULU, AGED ABOUT 50YEARS, OCC PRESENTLY WORKING AS PANCHAYAT SECRETARY GRADE-I, VAJRAKARURI GRAMA SACHIVALAYAM, ANANTHAPUR DISTRICT-515832

**...PETITIONER**

**AND**

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI-522237.
2. THE PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, ITS REP.BY, THE COMMISSIONER TADEPALLI, GUNTUR DISTRICT-522501.
3. THE INQUIRY OFFICER, OFFICE OF THE CHIEF EXECUTIVE OFFICER, ZILLA PRAJA PARISHAD, KURNOOL DISTRICT-518002.
4. THE INSPECTOR OF POLICE, ANTI-CORRUPTION BUREAU, KURNOOL RANGE, KURNOOL-518002.

**...RESPONDENT(S):**

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 topleased to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus

declaring the action of the Respondents in initiating Departmental proceeding vide Charge Memo No.2842991/CPR and RD/VIG-ACB/2025, dated 11.09.2025, and further 3rd Respondent/Inquiry Officer issuing Notice to the Petitioner dated 03.09.2026 directing Petitioner to appear for inquiry, during the pendency of criminal procceddings in C.C. No.13 of 2025 against the Petitioner on the file of the Court of the Special Judge for SPE and ACB Cases, Kurnool, as illegal, arbitrary, contrary to the settled principles of law, violative of Articles 14, 19 and 21 of the Constitution of India, and consequently direct the Respondents to stay the departmental proceedings initiated vide Memo No.2842991/CPR and RD/VIG ACB/2025, dated 11.09.2025, till the finalization of the criminal proceedings against the Petitioner in C.C. No.13 of 2025 on the file of the Court of the Special Judge for SPE and ACB Cases, Kurnool, and 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 pleased to direct to stay the departmental proceedings initiated vide Memo No. No.2842991/CPR&RD/VIG-ACB/2025, dated 11.09.2025, till the finalization of the criminal proceedings in C.C. No.13 of 2025 on the file of the Court of the Special Judge for SPE & ACB Cases, Kurool, and pass

**Counsel for the Petitioner:**

1. MARUPILLI SARADA

**Counsel for the Respondent(S):**

1. GP FOR SERVICES III

**The Court made the following:**

**THE HON'BLE SRI JUSTICE NYAPATHY VIJAY**

**W.P.No.29129 of 2026**

**ORDER:**

1. The present Writ Petition is filed questioning the action of the Respondent-Authorities in initiating disciplinary proceedings vide charge memo No.2842991/CPR&RD/VIG-ACB/2025, dated 11.09.2025 against the Petitioner, pending C.C.No.13 of 2025 before the Special Judge for SPE & ACB cases, Kurnool, as arbitrary and illegal.

2. The Petitioner is working as a Panchayat Secretary Grade – I in Vajrakaruri Grama Sachivalayam. While so, on 01.02.2023, the Anti-Corruption Bureau, Kurnool Range laid a trap against the Petitioner alleging that the Petitioner accepted bribe of Rs.4,000/- from one Sri Buduru Guru Raja Reddy for doing an official favour i.e., to issue ownership certificate for a property. On the same day, Cr.No.01/RCT-KUR/2023 under Section 7 and 12 of the Prevention of Corruption (Amendment) Act, 2018 was registered against the Petitioner and the same was taken cognizance by the Special Judge for SPE & ACB cases, Kurnool, which is pending trial.

3. Parallelly, the Respondent-Authorities initiated the Disciplinary Proceedings vide charge memo No.2842991/CPR&RD/VIG-

ACB/2025, dated 11.09.2025 on the same allegations mentioned in the criminal case.

4. Learned counsel for the Petitioner submits that the criminal case and the disciplinary case are with respect to the same incident and it will cause prejudice to the Petitioner. She placed reliance on the Judgment of the Hon'ble Supreme Court in ***M.Paul Anthony v. Bharat Gold Mines Limited***[1].

5. This Court taking note of the Judgment of the Hon'ble Supreme Court in ***Secretary, Lucy Sequeira Trust and Another v. Kailash Ramesh Tandel and Others***[2] disposed of similar Writ Petitions, with the following directions:-

> *(i) The departmental proceedings, dated 11.09.2025 initiated against the Petitioner shall remain stayed for a period of one year from today.*
>
> *(ii) The learned Special Judge for SPE and ACB Cases, Kurnool, shall complete the trial in C.C.No.13 of 2025 pending on its file, as expeditiously as possible, preferably within a period of one year considering the fact that the departmental proceedings are stayed, pending disposal of the criminal case.*

---

[1] 1999 (3) SCC 679

[2] (2019) 6 SCC 155

*(iii) The Petitioner shall file a copy of this order before the concerned Court and shall co-operate for expeditious disposal of the criminal case.*

*(iv) If the trial is not concluded within the period of one year, the departmental proceedings can be proceeded with.*

6. In the present case, the departmental enquiry is an offshoot of the criminal case and the documentary and oral evidence is similar. Therefore, the Writ Petition is disposed of in terms of directions in Paragraph No.5. No order as to costs.

As a sequel, the miscellaneous petitions if any shall stand dismissed.

_____

**NYAPATHY VIJAY, J**

Date: 08.10.2026

chs

**THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY**

**146**

**WRIT PETITION No.29129 of 2026**

Dated:08.10.2026

chs