APHC010527172026

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

MONDAY, THE 5th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 28620 OF 2026

Between:

1. M VEERANNA RAJU, S/o. M.Daniel, Age 46 years, Working as Deputy Range Officer, Nuziveedu S.F. Range Office, Eluru Division, Pin 521201.

...Petitioner

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary to Government, Environment, Forest, Science and Technology, Andhra Pradesh Secretariat, Velagapudi, Amaravathi, Guntur District, Pin 522238

2. The Principal Chief Conservator of Forests, Head of Forest Force, Mangalagiri, Guntur District,Pin 522002

3. The Chief Conservator Forests, Rajahmundry Circle, Rajahmandry,Pin 533436

...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 toissue a Writ, Order or direction more particularly in the nature of Mandamus, quashing the Article of Charges issued by the Chief Conservator of Forests, Rajahmundry Circle, Rajamandry, in Rc.3014/2014-M8, dated 22-12-2014, on the ground of inordinate delay, keeping in view of the judgments rendered by the Hon'ble Supreme Court of India in State of A.P. Vs. N. Radhakishan (1998 (4) SCC 154), P.V.Mahadevan Vs. M.D., Tamilnadu Housing Board (2005 (6) SCC 636), and M.V.Bijlani Vs. Union of India (2006 (5) SCC 88) case and also keeping in view the Circular Memos., of the Government issued in Memo. No.35676/ Ser.C./1998-I, G.A.(Ser.C) Department, dated 01.07.1998 and Memo No.24637/Ser.C/2000-2, GA (Ser.C) Department, dated 05.09.2000, for finalizing the Departmental Proceedings within 3 months in simple cases and within 6 months in

complicated cases and to declare that the petitioner is entitled for promotion to the post of Forest Range Officer, without there being pendency of Articles of Charges, issued in 2014 with all consequential benefits, in the interest of justice

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 issue an interim direction directing the Respondents to forthwith consider the case of the petitioner for promotion to the post of Forest Range Officer, in the existing vacancies, without reference to the Article of Charge issued by the Chief Conservator of Forests, Rajahmundry, in Rc.3014/2014-M8, dated 22.12.2014, pending disposal of the Writ Petition

Counsel for the Petitioner: P V RAMANA

Counsel for the Respondents: GP FOR SERVICES IV

The Court made the following order:

HON'BLE SRI JUSTICE NYAPATHY VIJAY

W.P.No.28620 of 2026

O R D E R**:**

This writ petition is filed questioning the action of the Respondents in not considering the case of the Petitioner for promotion to the post of Forest Range Officer on the ground of in ordinate delay in concluding the departmental proceedings dated 22.12.2014, as illegal and arbitrary.

2. Petitioner was initially appointed as Forest Section Officer in December 2005 and thereafter promoted as Deputy Range Officer in June 2009. While so, the impugned charge memo was issued by the Chief Conservator of Forests, Rajahmundry, on 22.12.2014 in respect of works related to CAMPA & NREGS Funds, during the year 2010 and 2011 in Krishna Division. The said charge memo was based on the report of the Director General (Vigilance & Enforcement) dated 30.01.2014. As per the charge memo, a solitary article of charge was framed and in the statement of imputation, the excess expenditure incurred by the Petitioner was assessed at Rs.28,210/- only. As there was inordinate delay in concluding the departmental enquiry and in not considering the case of the Petitioner for promotion, this writ petition is filed.

3. Learned counsel for the Petitioner submits that charge against the Petitioner is not serious and by no stretch, there was no reason to keep the enquiry pending for this long.

4. Learned counsel for the Petitioner in the alternative submits that the case of the Petitioner be considered for promotion without reference to the charge memo.

5. Learned Assistant Government Pleader for Services-I would submit that a Common Enquiry Officer was appointed on 16.11.2017 and the Petitioner participated in the enquiry and his statement was recorded on 05.12.2017. As the Petitioner had participated in common disciplinary proceedings involving several charged officers, there was a delay and the same is not prejudicial to the interest of the Petitioner. The enquiry officer had submitted the findings and submitted his report to the Government vide proceedings dated 02.07.2026. As regards the promotion of the Petitioner, it is stated that since the enquiry officer had submitted his report to the Government and orders are awaited, the case of the Petitioner for promotion was not considered.

5. Heard Sri. P.V. Ramana, learned counsel for the Petitioner and learned Assistant Government Pleader for Services-I.

6. The solitary article of charge framed against the Petitioner reads as under:

> "*That the said Sri M. Veeranaraju, Deputy Range Officer the then in charge of Vijayawada Section of Vijayawada Range had exhibited gross negligence of his legitimate duty and incurred excess expenditure by recording excess measurements than actual execution in creation of fire lines by digging of Continuous contour trench (CCT) at Adavinekkalam Main Block by Channupallivarigudem VSS of Nunna Beat and sustained to loss to Government*."

7. As per the Statement of Imputation, the loss caused to the State Government on account of the lapse of the Petitioner is as under:

> *"The V & E Officials along with the concerned Forest Officials viz., Ch. Srinivasa Rao, Deputy Range Officer, Sri V. Naga Prasad, Forest Beat Officer, inspected the work on 06.12.2012 and found that the length of Continuous Contour Trench was as 1008 mts. Against 1539 mts. As recorded in the M. Book. There was a difference of 531 mts in length inbetween the recording and actual execution. The quantity of work done was observed as 630 Cum. As such there is an excess expenditure of Rs.28,210/- (331.88 85.00/cum) than the admissibility. Therefore, the charged Officer charged excess expenditure without execution of the work in filed."*

8. In the opinion of this Court, the charge against the Petitioner is not serious, but since the enquiry report involving several officers was submitted, this Court is not inclined to interfere with the disciplinary enquiry notwithstanding the delay. However, the delay in conclusion of the departmental proceedings does not warrant to keep the petitioner's case for promotion to the post of Forest Range Officer in abeyance.

9. Taking note of the alternative submission, the writ petition is disposed of with the following directions:

i) The case of the Petitioner shall be considered by the Respondents for promotion to the post of Forest Range Officer without reference to the impugned charge memo dated 22.12.2014.

ii) There shall be no order as to costs.

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

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NYAPATHY VIJAY, J

Date: 05.10.2026
KLP/VSR