APHC010527252026

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

TUESDAY, THE 6th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 28713/2026

Between:

1. D VENKATA SUBBAIAH, S/O PITCHAYYA, AGED ABOUT 38 YEARS, OCC.FIELD ASSISTANT, KAMPASAMUDRAM GRAM PANCHAYAT, (UNDER ORDER OF REMOVAL) MAHATHMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE SCHEME, MARRIPADU MANDAL, SPSR NELLORE DISTRICT

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, PANCHAYAT RAJ AND RURAL DEVELOPMENT (RD-II) DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARVATI, GUNTUR DISTRICT A.P., REP. BY PRINCIPAL SECRETARY,
2. THE COMMISSIONER, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT VIJAYAWADA, STATE OF ANDHRA PRADESH
3. THE DISTRICT COLLECTOR CUM THE DISTRICT PROGRAMME COORDINATOR, MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE SCHEME - A.P, SPSR NELLORE DISTRICT.
4. THE PROJECT DIRECTOR, THE DISTRICT WATER MANAGEMENT AGENCY MAHATMA GANDHI NATIONAL RURAL EMPLOYMENT GUARANTEE SCHEME- A.P, SPSR NELLORE DISTRICT.

5. THE MANDAL PARISHAD DEVELOPMENT OFFICER CUM ADDITIONAL PROGRAMME COORDINATOR, MNREGS-AP, MARRIPADU MANDAL, SPSR NELLORE DISTRICT.

...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 toissue an appropriate Writ, order or direction mostly one which is in the nature of a Writ of Mandamus declaring the Order in Rc.No. A8/2860/HRCe11/2025 dated 09-02- 2026 of the 4th Respondent and consequential Order in Rc.No. A8/2860/HRCe11/2025 dated 24-04-2026 of the 3rd Respondent in removing the Petitioner from the post of Field Assistant, MGNREGS AP as being illegal, arbitrary, violative to the cardinal principles of natural justice and fundamental rights enshrined under Article 19 and 21 of the Indian Constitution and set aside the same and consequently direct the Respondents to reinstate the Petitioner with all consequential benefits

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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 in Rc.No. A8/2860/HRCe11/2025 dated 09-02-2026 of the 4th Respondent

Counsel for the Petitioner:

1. SODUM ANVESHA

Counsel for the Respondent(S):

1. GP FOR SERVICES III

The Court made the following:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

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ORDER:

1. The present Writ Petition is filed questioning the orders issued by Respondent No.4 vide Rc.No.A8/2860/HRCell/2025, dated 09.02.2026, and the consequential orders issued by Respondent No.3 vide Rc.No.A8/2860/HRCell/2025, dated 24.04.2026, removing the Petitioner from the post of Field Assistant, MGNREGS AP, as illegal and arbitrary.

2. The Petitioner was appointed as Field Assistant of Kampasamudram Gram Panchayat, Marripadu Mandal, SPSR Nellore District, in the year 2007 by Respondent No.5 and has been discharging his duties ever since. While so, the Assistant Project Officer, Atmakur Cluster, levelled 13 charges against the Petitioner with regard to certain irregularities, and some of the charges were held to be proved in the enquiry conducted, pursuant to which an enquiry report was submitted. Later, a show-cause notice was issued to the Petitioner on 26.09.2025 by Respondent No.4, stating that the irregularities committed by the Petitioner were proved in the enquiry and kept the Petitioner out of employment and called for an explanation from the Petitioner within 07 days.

3. Thereafter, the Petitioner had submitted his detailed explanation, dated 07.10.2025 to the show cause notice referred above denying the charges leveled against him and requested to drop further proceedings and filed W.P.No.29530 of 2025 before this Court.This Court vide its orders, dated 28.10.2025 disposed of the said Writ Petition directing the Respondent No.4 therein to reinstate the Petitioner into his service and to conclude the enquiry. Consequent thereto, the Petitioner was reinstated into the service vide proceedings, dated 22.11.2025.

4. Thereafter, Respondent No.4 again issued a notice, dated 19.12.2025, calling for hearing and Petitioner attended the same and submitted his explanation on 21.12.2025. Later, without considering the explanation of the Petitioner, the Respondent No.4 issued impugned orders, dated 09.02.2026 terminating the services of the Petitioner and directed the Petitioner to pay an amount of Rs.1,47,579/- within 15 days. Aggrieved by the same, the Petitioner filed appeal before Respondent No.3 and Respondent No.3 passed the final order confirming the orders passed by the Respondent No.4. Hence, the Writ Petition is filed.

5. The only plea of the learned counsel for the Petitioner is that the Appellate Authority did not consider any of the grounds raised by the

Petitioner and the appeal filed by the Petitioner was dismissed without assigning any reasons.

6. Sri M.S.R. Chandra Murthy, learned Standing Counsel for MGNREGS submitted that the allegations leveled against the Petitioner are substantial in nature and the impugned orders need not be interfered with, as the same are passed considering the gravity of charges leveled against the Petitioner.

7. Heard M/s. Sodum Anvesha, learned counsel for the Petitioner as well as learned Standing Counsel for MGNREGS.

8. The order in appeal passed by Respondent No.3 does not refer to the factual allegations leveled against the Petitioner and was passed without assigning any reasons. In the opinion of this Court, such orders cannot be sustained. Therefore, this Writ Petition is disposed of with the following directions: -

(i) The orders passed by Respondent No.3 vide Rc.No.A8/2860/HRCell/2025, dated 24.04.2026 are set-aside and the Respondent No.3 is directed to pass a detailed order, taking note of the grounds raised by the Petitioner, as expeditiously as possible.

9. No order as to costs.

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

JUSTICE NYAPATHY VIJAY

Date: 06.10.2026
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THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

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Dated:06.10.2026

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