APHC010537062026

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: 29235/2026

Between:

R. Yugandhar, **...PETITIONER**

AND

The State Of A P and Others **...RESPONDENT(S)**

Counsel for the Petitioner:

1. POODATTU AMARENDER

Counsel for the Respondent(S):

1. GP FOR SERVICES I

The Court made the following:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 29235/2026

ORDER:

The Writ Petition is filed questioning the action of the Respondents in not considering the case of the Petitioner for promotion to the post of Joint Director as illegal and arbitrary.

2. The facts leading to the filing of the present Writ Petition are as follows:

The Petitioner is working as Deputy Director, Backward Classes Welfare, A.P. The next available promotion to the Petitioner is that of the Joint Director. While so, a Departmental Enquiry was initiated against the Petitioner vide G.O.Rt.No.116 BCW (D) Department, dated 28.03.2023, whereunder the solitary Article of Charge framed against the Petitioner was that the Petitioner failed to discharge his duties and responsibilities of sanctioning and releasing the scholarship claims, generating the bill and submitting the same to the District Treasury via Digital Signature Key without conducting physical verification of attendance of Post Matric Scholarships for at least a 5% random sample of documents related to scholarships against details entered in the Jnanabhumi as stipulated in G.O.Ms.No.45 SW (Edn.2) Department, dated 09.06.2017 and the said enquiry is pending.

3. In the year 2022, the ACB Authorities registered a case against the Petitioner under Section 13 (2) r/w 13 (1) (b) of the Prevention of Corruption Act with regard to the possession of disproportionate assets. No charge sheet was filed in the criminal case. It is in that context, the Petitioner seeks consideration of his case taking note of G.O.Ms.No.66 GA (Services-C) Department, dated

30.01.1991 and G.O.Ms.No.257, General Administration (Ser.C) Department, dated 10.06.1999.

4. Heard the learned counsel.

5. G.O.Ms.No.66 GA (Services-C) Department, dated 30.01.1991, enables the Respondent Authorities to consider the case of the individuals for promotion against whom criminal cases are registered, but charge sheets are yet to be filed. G.O.Ms.No.257, General Administration (Ser.C) Department, dated 10.06.1999, enables the Respondent Authorities on the same lines for consideration of the case of the individuals for promotion who are facing disciplinary proceedings.

6. In view of the submissions made and in the light of the above, the 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 Joint Director taking note of G.O.Ms.No.66 GA (Services-C) Department, dated 30.01.1991 & G.O.Ms.No.257, General Administration (Ser.C) Department, dated 10.06.1999.

ii) There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Petition shall stand closed.

JUSTICE NYAPATHY VIJAY

Date : 08.10.2026
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THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WP No.29235 of 2026

Dt.08-10-2026

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