APHC010539582026

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

FRIDAY, THE 9th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 29371/2026

Between:

T. Venkateswara Rao **...PETITIONER**

AND

The State Of Andhra Pradesh and Others **...RESPONDENT(S)**

Counsel for the Petitioner:

1. V S K RAMA RAO

Counsel for the Respondent(S):

1. GP FOR SERVICES II

The Court made the following:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 29371/2026

ORDER:

The Writ Petition is filed questioning the Show Cause Notice dated 05.08.2026 issued by Respondent No. 6 calling upon the Petitioner to submit his explanation on the Enquiry Report dated 29.07.2026 as illegal and arbitrary.

2. The Petitioner is working as Junior Assistant in the Respondent Temple. While so, a Show Cause Notice was issued against the Petitioner by the Respondent Authorities on 05.08.2026, wherein it is stated that the Enquiry Officer observed in the Report that absorption proceedings No. A1/38354/2010, dated 22.10.2010, purportedly issued from the office of the Commissioner, Endowments Department, A.P., Gollapudi, absorbing the services of Sri E. Rukmangadarao in the establishment of Sri Venkateswaraswamyvari Devasthanam, Tirumalagiri, against the existing vacancy with termination of lien in his respective parent institution. It is also stated that in the said process, the Petitioner colluded with Sri B.B.S. Vara Prasad, Junior Assistant and Sri L. Panduranga Rao, Attender, and tampered with the records, and fabricated the proceedings.

3. It is also stated that the said preliminary enquiry was conducted on the directions of the Deputy Commissioner. On the basis of the said Report, the Petitioner was called upon to submit his explanation as to why disciplinary action should not be taken against him.

4. Pursuant thereto, the Petitioner submitted his detailed explanation. After submitting the explanation to the Respondent Authorities, the Petitioner filed the present Writ Petition questioning the said Show Cause Notice.

5. Learned counsel for the Petitioner submits that the preliminary enquiry was conducted behind the back of the Petitioner and without putting him on notice, and therefore, the impugned Show Cause Notice cannot be sustained.

6. Heard the learned counsel.

7. The impugned Show Cause Notice call for the explanation of the Petitioner with regard to the allegations mentioned therein and proposes to initiate a departmental action against the Petitioner. Even assuming that the preliminary enquiry was conducted behind the back of the Petitioner, the same is of no consequence as the impugned notice is merely a show cause notice proposing a departmental action and the issue of prejudice would come if the material relied upon is not furnished during the proposed Departmental Enquiry. The interference by this Court with regard to the non-compliance of the principles of natural justice would arise only when civil consequences follow. In the present case, as mentioned above, only departmental action is proposed against the Petitioner. The Departmental Charge Memorandum was considered to be akin to show cause notice in ***Union of India v Kunisetty Satyanarayana***[1] and the consequence of impugned Show Cause Notice being only a show cause notice, this Court does not find any merit in the contention of the learned counsel for the Petitioner.

8. Accordingly, the Writ Petition is disposed of, at the state of admission with the following directions:

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[1] 2006 (12) SCC 28

i) The Respondent Authorities shall consider the explanation of the Petitioner to the Show Cause Notice and pass appropriate orders thereon.

ii) There shall be no order as to costs.

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

JUSTICE NYAPATHY VIJAY

Date : 09.10.2026

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THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WP No.29371 of 2026

Dt.09-10-2026

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