APHC010569912026

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

TUESDAY, THE 27th DAY OF OCTOBER 2026

**PRESENT**

**THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY**

**WRIT PETITION NO: 31144/2026**

**Between:**

1. M.RAJESH, S/O. M.LAKSHMAIAH, AGED ABOUT 53 YEARS, DEPUTY EXECUTIVE ENGINEER, PRODDATUR MUNICIPALITY, YSR DISTRICT.

**...PETITIONER**

**AND**

1. THE STATE OF ANDHRA PRADESH, REP., BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, MA AND UD DEPARTMENT, SECRETARIAT, VELGAPUDI, GUNTUR DISTRICT. 522 238
2. THE ENGINEERINCHIEF, PUBLIC HEALTH, A.P., TADEPALLY, GUNTUR DISTRICT.522 501

**...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 a Writ order or direction more particularly one in the nature of Writ of Mandamus to delay in initiating and continuing the charge memo bearing G.O.Rt.No.1264, MA and UD (Vig.III) Dept., dated 14-11-2025 for alleged incident of 2018 is illegal, arbitrary, unconstitutional and void being contrary to the orders of the Government for conclusion of disciplinary proceedings in simple matters within a period of three months and in complicated matters within a period of six months and set aside the same and consequently declare the Petitioner is entitled to be considered for promotion as Executive Engineer with all

consequential benefits, as otherwise the Petitioner will be put to heavy and irreparable loss

**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 direct the Respondents to consider the case of the Petitioner for promotion as Executive Engineer without reference to charge memo bearing G.O.Rt.No.1264, MA & UD (Vig.III) Dept., dated 14-11-2025 (incident occured 2018) and promote him as such pending disposal of the above writ petition

**Counsel for the Petitioner:**

1. RANGARAJULA RAJASEKHARA RAO

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

1. GP FOR SERVICES IV

**The Court made the following:**

**THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY**

**WRIT PETITION No.31144 of 2026**

**ORDER:**

1. The present Writ Petition is filed questioning the action of the Respondent-Authorities in delaying the initiation of the departmental enquiry vide G.O.Rt.No.1264, MA & UD (Vig.III) Department, dated 14.11.2025 for the incident pertaining to the year 2018, as illegal and arbitrary.

2. The Petitioner is working as Deputy Executive Engineer since the year 2017 and is due for promotion to the post of Executive Engineer. While so, a departmental enquiry was initiated against the Petitioner, and a charge memorandum under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, vide G.O.Rt.No.1264, MA & UD (Vig.III) Department, dated 14.11.2025, was issued to the Petitioner, wherein three articles of charge were framed against him. The articles of charge read as under:-

> *Charge 1:*
>
> *That Sri M.Rajesh, the then Deputy Executive Engineer, Proddatur Municipality, YSR Kadapa District, presently working as Deputy Executive Engineer, Proddatur Municipality, YSR Kadapa District, failed to direct his subordinates, on why not to execute the civil works departmentally, accorded the permission to certain files and permitted the execution of engineering 2 civil works departmentally to an*

*estimated contract value of 2.88 Lakh Rupees for, instead of obtaining e-Procurement tenders and deviated the instructions laid down in G.O.Ms.No.94 I&CAD Dept., dt.01.07.2003.*

*Charge 2:*

*That Sri M.Rajesh, the then Deputy Executive Engineer, Proddatur Municipality, YSR Kadapa District, presently working as Deputy Executive Engineer, Proddatur Municipality, YSR Kadapa District, has failed to put-up the rule position about execution of civil works departmentally, and not guided the his subordinates, on why not to execute the civil works departmentally, as per the guidelines issued in U.O.Note.No.4777/F8(A1)/07-2, Dt.24.06.2008 of Finance Department, in which, Departmental execution of works has been banned. Holding the post of Deputy Executive Engineer, did not stop the departmental execution of 2 engineering civil works to an estimated contract value of 2.88 Lakh Rupees.*

*Charge 3:*

*Thus, Sri M.Rajesh, the then Deputy Executive Engineer, Proddatur Municipality, YSR Kadapa District, presently working as Deputy Executive Engineer, Proddatur Municipality, YSR Kadapa District, with the above-mentioned acts, has exhibited lack of integrity, devotion to duty and conduct, unbecoming of a member of service and thereby contravened Rule 3 of A.P. Civil Services (Conduct) Rules, 1964.*

3. It was submitted that no witnesses were cited for sustaining the charges framed against the Petitioner and the Petitioner in his reply stated that the allegations pertain to the year 2018 and the issuance of charge memorandum at this length of time is wholly unwarranted that too when there is no financial loss to the Government.

4. Learned Assistant Government Pleader submitted that the charge memorandum issued against the Petitioner need not be interfered with at this stage and the grounds raised by the Petitioner can be urged before the disciplinary authority. It was further submitted

that the departmental enquiry would be concluded as expeditiously as possible.

5. Heard Sri R. Rajasekhar Rao, learned counsel for the Petitioner as well as learned Assistant Government Pleader.

6. The charges framed against the Petitioner do not appear to be complicated requiring elaborate enquiry. Therefore, rather than examining the submissions of the Petitioner at this stage, this Court is of the opinion that it would be appropriate to direct the Respondent-Authorities to conclude the departmental enquiry within the time frame specified under G.O.Ms.No.91, General Administration (SER.C) Department, dated 12.09.2022. Accordingly, this Writ Petition is disposed of, with the following directions:-

(i) The Respondent-Authorities are directed to conclude the departmental enquiry initiated vide G.O.Rt.No.1264, MA & UD (Vig.III) Department, dated 14.11.2025 within a period of four months from the date of receipt of a copy of this order.

(ii) In default, the case of the Petitioner shall be considered for promotion, without reference to the above charge memorandum.

7. No order as to costs.

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

**JUSTICE NYAPATHY VIJAY**

Date: 27.10.2026
chs

**THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY**

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Dated: 27.10.2026

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