APHC010577622026

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

MONDAY, THE 2nd DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 31755/2026

Between:

1. GANGADHARAM PULLAIAH, S/O G.THIRUPALU, AGE ABOUT 40 YEARS, RIO H.NO.5-232, BRAMHANAPALLI VILLAGE, ORVAKAL MANDAL, KURNOOL DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, HOME DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI - 522503.
2. THE ADDITIONAL DIRECTOR GENERAL OF POLICE, HOME GUARDS, STATE OF ANDHRA PRADESH, TECH TOWERS, DGP OFFICE, MANGALAGIRI, GUNTUR DISTRICT - 522503.
3. THE SUPERINTENDENT OF POLICE, KURNOOL DISTRICT AT KURNOOL -518001

...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 topleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in removing the petitioner from the Post of Home Guard vide Proceedings D.O.No.667/A4/2025, dated 18-08-2025 as illegal, arbitrary and contrary to the provisions of AP.Home Guards Act, 1948 and consequently set aside the

Proceedings D.O.No.667/A4/2025, dated 18-08-2025 and direct the respondents to reinstate the petitioner into service as Home Guard of Orvakal Police Station, Kurnool District and to pass

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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 pleased to suspend the Proceedings D.O,No.667/A4/2025, dated 18-08 2025 of the 3rd respondent, pending disposal of the above writ petition and to pass

Counsel for the Petitioner:

1. U RAMANJANEYULU

Counsel for the Respondent(S):

1. GP FOR SERVICES I

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 action of the Respondent-Authorities in removing the Petitioner from the post of Home Guard, vide proceedings in D.O.No.667/A4/2025, dated 18.08.2025, issued by the Superintendent of Police, Kurnool District, as illegal and arbitrary.

2. The facts in brief are as follows:-

The Petitioner was appointed as a Home Guard in the Home Guards Organization, Kurnool District, in the year 2007 and had been discharging his duties to the best of his ability ever since. While so, a complaint was lodged by a woman, namely, Supriya, against the Petitioner, and the same was registered as a First Information Report (FIR) vide Crime No.190 of 2024 before Orvakal Police Station for the offences punishable under Sections 79 and 351(3) of the Bharatiya Nyaya Sanhita (BNS).

3. Subsequently, a charge sheet was filed in the said crime, and the same was numbered as C.C.No.2089 of 2024 on the file of the Judicial First Class Special Mobile Court, Kurnool. While so, based on

the report of the Sub-Inspector of Police regarding the involvement of the Petitioner in the said criminal case, the Petitioner was placed under suspension vide orders dated 05.11.2024. Thereafter, a show cause notice was issued to the Petitioner on 30.06.2025, calling upon him to submit his explanation regarding his involvement in the said criminal case. Consequent thereto, the Petitioner submitted a detailed explanation to the said show cause notice. However, the impugned order of removal was passed. Questioning the order of removal, the Petitioner filed an appeal before Respondent No.2 on 17.11.2025.

4. In the interregnum, the said criminal case was voluntarily compounded before the Lok Adalat, and an award was passed vide Lok Adalat Case No.3432 of 2025, dated 05.07.2025 on the file of the aforementioned Court.As the criminal case filed against the Petitioner was settled before the Lok Adalat and as the appeal filed by the Petitioner is pending before Respondent No.2, the present Writ Petition came to be filed seeking reinstatement into service.

5. Learned Assistant Government Pleader for Services–I submitted that, as the appeal filed by the Petitioner is pending before Respondent No.2, the present Writ Petition cannot be maintained, as the issue raised by the Petitioner in the present Writ Petition is the subject matter of the said appeal.

6. Heard Sri U. Ramanjaneyulu, learned counsel for the Petitioner as well as learned Assistant Government Pleader for Services – I.

7. Considering the submissions, this Writ Petition is disposed of, with the following directions:-

(i) The Respondent No.2 is directed to dispose of the appeal filed by the Petitioner on 17.11.2025, taking note of the Lok Adalat Award No.3432 of 2025 in C.C.No.2089 of 2024 on the file of Judicial First Class Special Mobile Court, Kurnool, within a period of three months from the date of receipt of a copy of this order.

8. No order as to costs.

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

JUSTICE NYAPATHY VIJAY

Date: 02.11.2026
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THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

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Dated: 02.11.2026

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