



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)



MONDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN

WRIT PETITION NO: 15661 OF 2025

Between:

K Srinivasa Rao, S/o K. Rama Rao, Aged 59 years, Working as Assistant Director (Admin), Government General Hospital, Srikakulam, R/o. Flat No. 302, Olive Height Apartments Lawsons Bay Colony, Visakhapatnam.

...Petitioner/s

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Health, Medical and Family Welfare Department, A.P. Secretariat, Velagapudi, Guntur District.
2. The Director of Public and Family Welfare, Andhra Pradesh, at Gollapudi, Vijayawada, A.P.
3. The Director of Medical Education, Andhra Pradesh, at Old Government General Hospital, Hanumanpet, Vijayawada, A.P.

...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 to issue a Writ Order or Direction more particularly one in the nature of Writ of Mandamus to declare the action of the respondents in not considering the candidature of the petitioner for promotion to the post of Dy. Director (Admn), on mere pendency of Charge Memo vide G.O.Rt.No.411

Health Medical and Family Welfare (VC.I) Department dt. 27.06.2024 (incident pertaining to the year 2014) issued by 1st respondent, denial of promotion is illegal, arbitrary, whimsical and in violation of Principles of Natural Justice and contrary, consequently direct the respondents to consider the candidature of the petitioner for promotion to the post of Dy. Director (Admn) in the ensuing counsel without reference to the Charge Memo vide G.O.Rt.No. 411 Health Medical and Family Welfare (VC.I) Department dt. 27.06.2024 by duly extending the similar order passed in W.P No. 8267 of 2025 dt. 04.04.2025 and W.P. No. 6397 of 2025 dt. 13.03.2025.

IA NO: 1 OF 2025

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 to direct the respondents to consider the candidature of the petitioner for promotion to the post of Dy. Director (Admn.) in Medical and Health Department, in the existing vacancy, without reference to the pending Charge Memo vide G.O.Rt.No.411 Health Medical & Family Welfare (VC.I) Department dt. 27.06.2024, in terms of W.P No. 8267 of 2025 dt. 04.04.2025 and W.P.No.6397 of 2025 dt. 13.03.2025, pending disposal of the above writ petition.

Counsel for the Petitioner: SRI BUGULU SREETEJA

Counsel for the Respondents: AGP FOR SERVICES I

The Court made the following order:



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3506]

MONDAY, THE THIRTIETH DAY OF JUNE
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN

WRIT PETITION NO: 15661/2025

Between:

K Srinivasa Rao ...PETITIONER

AND

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

Counsel for the Petitioner:

1. BUGULU SREETEJA

Counsel for the Respondent(S):

1. GP FOR SERVICES I

The Court made the following:

ORDER:

The present Writ Petition is filed under Article 226 of the Constitution of India seeking following relief:-

“...to issue an appropriate a Writ order or Direction more particularly one in the nature of Writ of Mandamus to declare the action of the respondents in not considering the candidature of the petitioner for promotion to the post of Dy.Director (Admn) on mere pendency of Charge Memo vide G.O.Rt.No.411 Health Medical & Family Welfare (VC.I) Department dt 27.06.2024 (incident pertaining to the year 2014) issued by 1st respondent denial of promotion is illegal arbitrary whimsical and in violation of Principles of Natural Justice and contrary consequently direct the respondents to consider the candidature of the petitioner for promotion to the post of Dy.Director (Admn) in the ensuing counsel without reference to the Charge Memo vide G.O.Rt.No.411 Health Medical & Family Welfare (VC.I) Department dt 27.06.2024 by duly extending the similar order passed in W.P.No.8267 of 2025 dt 04.04.2025 and W.P.No.6397 of 2025 dt 13.03.2025 and to pass such other order or orders....”

2. Heard Sri Bugulu Sreeteja, learned counsel for petitioner and learned Assistant Government Pleader for Services-I for respondents.
3. Petitioner is working as Assistant Director (Admn) at Government General Hospital, Srikakulam. While he was working as Assistant Director, King George Hospital, Visakhapatnam, disciplinary proceedings came to be initiated vide G.O.Rt.No.404 Health Medical & Family Welfare (VC.I) Department dated 27.06.2024 against 13 officers including the petitioner herein. Later, petitioner was issued a charge memo vide G.O.Rt.No.411 Health Medical & Family Welfare (VC.I) Department dated 27.06.2024 alleging that he failed to monitor administrative matters of the hospital in systematic

manner thereby giving scope to commission and omission of various irregularities in administration. Petitioner stated to have submitted statement of defence on 28.08.2024 and as of now Enquiry Officer has not been appointed and enquiry is pending at that stage. Petitioner is stated to be due for promotion to the post of Deputy Director (Admin) and for the panel year 2024-25, as per the seniority list, he stands at serial No.6, however, on account of pending of departmental proceedings, his case is not being considered for promotion.

4. Learned counsel for the petitioner submits that proceedings were initiated for the incident alleged to have been happened in the year 2014 and petitioner also submitted statement of defence. So far, the proceedings have not yet been concluded. Therefore, petitioner cannot be denied the right to promotion. He also placed on record orders passed by this Court in W.P.NO.14683 of 2025 relating to one of the charged officer forming part of the disciplinary proceedings.

5. Learned Assistant Government Pleader for Services-I would submit that the respondent authorities will consider the case of the petitioner in terms of G.O.Ms.No.257, General Administration (Ser.C) Department, dated 10.06.1999.

6. The Government issued G.O.Ms.No.679, General Administration (Services-C) Department, dated 01.11.2008, and thereafter, G.O.Ms.No.91, General Administration (Ser.C) Department, dated 12.09.2022, fixing timelines

to conclude the inquiry within three (03) months in case of simple and six (06) months in case of complicated. In the case at hand, the respondent authorities flouted the timelines fixed in the G.Os. For the fault on the part of the disciplinary authority, the petitioner shall not be penalized.

7. Given the facts and circumstances of the case, with the consent of both the learned counsel, the Writ Petition is disposed at admission stage, directing the respondent authorities to consider the case of the petitioner for promotion, if the petitioner is in the zone of consideration, without reference to the aforementioned charge memo. Further, the respondents are also directed to complete the inquiry within a period of three (03) months from the date of receipt of a copy of this order.

8. Accordingly, the Writ Petition is **disposed of**. There shall be no order as to costs.

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

Sd/- K. TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//



SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Health, Medical and Family Welfare Department, A.P. Secretariat, Velagapudi, Guntur District.
2. The Director of Public and Family Welfare, Andhra Pradesh, at Gollapudi, Vijayawada, A.P.
3. The Director of Medical Education, Andhra Pradesh, at Old Government General Hospital, Hanumanpet, Vijayawada, A.P.

4. One CC to SRI. BUGULU SREETEJA, Advocate [OPUC]
5. Two CCs to GP FOR SERVICES – I, High Court of Andhra Pradesh
[OUT]
6. Two CD Copies

sree

HIGH COURT
DATED:30/06/2025

ORDER
WP NO. 15661 OF 2025

**DISPOSING OF THE W.P.
WITHOUT COSTS**

