



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

[3331]

THURSDAY, THE ELEVENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 15334/2026

Between:

1.V. RAMALIHGESWARA REDDY, S/O JAYARAMA REDDY, AGE 59 YEARS. PRESENTLY WORKING AS AN ASSISTANT CITY PLANNER/ ASSISTANT CITY PLANNER, GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, VISAKHAPATNAM.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (VIG-I) DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMRAVATI GUNTUR DISTRICT. 522237

2.THE DIRECTORATE OF TOWN AND COUNTRY PLANNING, REPRESENTED BY ITS DIRECTOR, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, GOVERNMENT OF ANDHRA PRADESH, MGM CAPITAL, GROUND FLOOR, NRI HOSPITAL, JUNCTION, MANGALAGIRI, GUNTUR DISTRICT, AMRAVATI. 522503

...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 an appropriate writ, order or direction more particularly one in the nature in WRIT of MANDAMUS aggrieved by the action of the Respondent in not considering Petitioners case for promotion for the post of Deputy Director/ Deputy City Planner at 2nd Respondent Directorate of Town

and Country Planning basing on Common Disciplinary Proceedings vide G.O.RT.No.356 Dated 25.04.2025 of Municipal Administration and Urban Development (VIG.I) Department which is highly illegal, unjust, arbitrary and contrary to law and violations of Principles of Natural Justice and contrary Articles 14 16 and 21 of Constitution of India and consequently direct the 2nd Respondent to forthwith consider Petitioners case for promotion to next level cadre post of Deputy Director/ Deputy City Planner as per GO Ms No 66 General Administration (SER.C) Director Dated 30.1.1991 and as per law without referring the aforesaid Common Disciplinary Proceedings vide G.O.RT.No 356 dated 25.04.2025 of 1st Respondent and to pass

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 may be pleased to direct the 2nd Respondent to forthwith consider Petitioner's case for promotion to next level cadre post of Deputy Director/ Deputy City Planner as per GO Ms No 66 General Administration (SER.C) Director Dated 30.1.1991 and as per law without referring the the Common Disciplinary Proceedings vide G.O.RT.No 356 dated 25.04.2025 of 1 Respondent and to pass

Counsel for the Petitioner:

1.S SRINIVASA RAO

Counsel for the Respondent(S):

1.GP FOR SERVICES IV

The Court made the following:

::ORDER::

The above writ petition is filed declaring the action of the respondents in not considering the petitioner's case for promotion to the post of Deputy Director/Deputy City Planner, due to the issuance of G.O.Rt.No.356 Municipal Administration & Urban Development (VIG.I) Department dated 25.04.2025 (Ex.P1) as illegal and arbitrary.

2. Heard Sri S.Srinivasa Rao, learned counsel for the petitioner, and Sri G.Raju, learned Government Pleader for Services-I, appearing for respondents 1 & 2.

3. The petitioner had joined the 2nd respondent, Department as Town Planning Building Overseer on 13.05.1993. Presently, the petitioner is working as an Assistant City Planner at GVMC. While so, the 1st respondent issued G.O.Rt.No.356 dated 25.04.2025 (Ex.P1) under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991, stating that, disciplinary action against the petitioner and 10 others would be taken up by a common departmental proceedings and the 1st respondent is functioning as disciplinary authority for that purpose.

4. Learned counsel for the petitioner would submit that no charge memo was issued to the petitioner as on the date. The respondents have initiated the process of promotion to the post of Deputy Director/Deputy City Planner and the petitioner is in the zone of consideration. However, the respondents may not consider the petitioner's case for promotion without reference to the disciplinary proceedings, which are yet to be crystallized.

5. Learned counsel for the petitioner while relying on G.O.Ms.No.66 GENERAL ADMINISTRATION (SERVICES-C) DEPARTMENT dated 30.01.1991 submitted that the promotion can be deferred only when charges of misconduct are framed by the competent authority and served on the concerned delinquent officer. Learned counsel also relied on G.O.Ms.No.257 GENERAL ADMINISTRATION (SER-C) DEPARTMENT 10.06.1999, which provide for Promotion on adhoc basis, provided the charge is not of a serious nature. He would further contention is that this Court in similar circumstances in W.P.No.14410 of 2025 directed the Respondents to consider the Petitioner's case for promotion to the post of Assistant Director/Assistant City Planner in terms of G.O.Ms.No.257 dated 10.06.1999, if the petitioner is in the zone of consideration.

6. Learned Government Pleader would submit that departmental proceedings were initiated against the petitioner *vide* G.O.Rt.No.1486 dated 17.12.2025. He would fairly submit that in respect of Ex.P1, no departmental proceedings were initiated.

7. In reply, learned counsel for the petitioner would submit that the respondents may consider the case of the petitioner for promotion in terms of G.O.Ms.No.257 dated 10.06.1999.

8. Learned Government Pleader would fairly submit that if the petitioner's candidature is in the zone of consideration, the authorities would consider the same strictly in terms of G.O.Ms.No.257 dated 10.06.1999.

9. Given facts and circumstances of the case, keeping the writ petition pending and inviting counter may not serve any purpose. Accordingly, writ petition is disposed of at the stage of admission, with the consent of both the learned counsel, directing the respondents to consider the case of the petitioner for promotion to the post of Deputy Director/Deputy City Planner strictly in terms of G.O.Ms.No.257 dated 10.06.1999 without reference to G.O.Rt.No.356 Municipal Administration & Urban Development (VIG.I) Department dated 25.04.2025 (Ex.P1). There shall be no order as to costs.

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

SUBBA REDDY SATTI, J