

APHC010253012026



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

[3208]

FRIDAY, THE EIGHTH DAY OF MAY  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE D RAMESH**

**WRIT PETITION NO: 13660/2026**

**Between:**

1. MR SUNKARI SIRIL PAUL, S/O. LATE SUNKARI LEVI LIVINGSTONE,  
AGED 54 YEARS, OCC SUPERINTENDENT AT GUNTUR MUNICIPAL  
CORPORATION, R/O. D.NO.8-19-36, 1ST LINE, MANGALDAS NAGAR,  
GUNTUR DISTRICT.522001

**...PETITIONER**

**AND**

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL  
SECRETARY, MUNICIPAL ADMINISTRATION DEPARTMENT,  
SECRETARIAT, VELAGAPUDI. 522241.

2. GUNTUR MUNICIPAL CORPORATION, REP. BY ITS COMMISSIONER,  
GUNTUR, GUNTUR DISTRICT-522003.

3. THE COMMISSIONER, GUNTUR MUNICIPAL CORPORATION. 522003.

**...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 declaring the inaction of the respondents in not concluding the departmental enquiry initiated vide charge memos in Roc.No.694355/2022/CI dated 14.11.2022 and Roc.No.699670/2022/CI dated 04.12.2022, despite lapse of more than three (3) years, as illegal, arbitrary,

unconstitutional and violative of Articles 14 and 21 of the Constitution of India and also in violation of G.O.Ms.No.91, General Administration (Ser.C) Department, dated 12.09.2022 and further declaring the inaction of the respondents in not considering and disposing of my representation dated 27.01.2026 submitted seeking review of suspension and reinstatement into service, and the consequential continuation of suspension vide proceedings in Roc.No.694355/2022/CI dated 12.12.2024, as illegal, arbitrary and contrary to G.O.Ms.No.86 dated 08.03.1994 and G.O.Ms.No.22 dated 29.02.2024 and consequently direct the respondents to conduct and complete the departmental enquiry initiated vide charge memos in Roc.No.694355/2022/CI dated 14.11.2022 and Roc.No.699670/2022/CI dated 04.12.2022, strictly in accordance with G.O.Ms.No.91 dated 12.09.2022 and to set aside the proceedings in Roc.No.694355/2022/CI dated 12.12.2024 placing me under deemed suspension and further direct that, in the event of failure to conclude the enquiry within the time stipulated by this Hon'ble Court, the disciplinary proceedings initiated vide the aforesaid charge memos shall stand quashed and 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 to suspend the operation of the proceedings in Roc.No.694355/2022/CI dated 12.12.2024, whereby I have been placed under deemed suspension, and consequently direct the respondents to reinstate me into service, pending disposal of the main Writ Petition, pending disposal of the main writ petition and pass

**Counsel for the Petitioner:**

1.M TARAK ABHILASH

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

1.GP FOR SERVICES I

**The Court made the following:**

**ORDER:**

1. This Writ Petition is filed seeking to declare the action of the respondents in not concluding the departmental enquiry initiated vide charge memos dated 14.11.2022 and 04.12.2022 even after lapse of four years, as illegal and arbitrary.

2. The facts leading for filing the Writ Petition are as follows:-

The Petitioner was initially appointed as Junior Assistant on 24.12.1999 in the 2<sup>nd</sup> respondent Corporation on compassionate grounds and consequently he was selected as a secondary Grade Teacher. He was promoted as Senior Assistant on 14.08.2012 and subsequently elevated to the post of Superintendent on 27.1.2020. While working as such, the petitioner was suspended by the proceedings dated 03.11.2022 alleging that the petitioner has taken some amounts from the contractor and accordingly a charge memo dated 14.11.2022 was issued. Subsequently 2<sup>nd</sup> charge memo dated 04.12.2022 was issued to the petitioner alleging diversion of additional amount of Rs.17,24,654/- to certain bank accounts. The petitioner submitted the explanation on 05.07.2024 to the above said charge memos, but the respondents failed to complete the enquiry within the time framed of three months. Hence, the present writ petition.

3. Heard the learned counsel for the Petitioner and learned Assistant Government Pleader for Services-II for the Respondents.

4. During hearing, learned counsel for the petitioner has brought to the notice of this Court that the incidents were happened in the year 2022 and despite long lapse of four years, the Respondents have not concluded the disciplinary proceedings, against the Petitioner. Hence, the petitioner prays to allow the writ petition.

5. Considering the submissions made, this Court opined that even after lapse of a four years, the Respondents did not conclude the disciplinary proceedings is quite contrary to the instructions in Clause 5(ix) issued vide G.O.Ms.No.91 General Administration (SER.C) Department, dated 12.09.2022, which reads as follows:-

“ix. Government direct that in all simple cases the inquiry initiated against Government Servant shall be completed within three months either by Departmental Officers or Commissioner of Inquiries. In complicated cases, it shall be ensured that the inquiry should be completed within five to six months. The Secretaries to Government shall review the progress of the inquiries ordered in all disciplinary cases and submit a note on the cases pending beyond the stipulated time to Chief Secretary to Government and also the Chief Minister.”

Considering the submissions made by the learned counsel for the petitioner, this court is of the opinion that the Writ Petition can be disposed of, while directing the Respondents to conclude the disciplinary proceedings within a period of two (02) months from the date of receipt of a copy of this order.

8. Accordingly, the Writ Petition is disposed of directing the respondents to conclude both the disciplinary proceedings vide charge memos dated 14.11.2022 and 04.12.2022 within a period of two (02) months from the date of receipt of a copy of this order. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in the writ petition shall stand closed.

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**D. RAMESH,J**

Date:08.05.2026

Gk.

**THE HON'BLE SRI JUSTICE D. RAMESH**

**WRIT PETITION No.13660 OF 2026**

Date:08.05.2026

Gk