HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P.No.15276 of 2026

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
	17.06.2026	**VN, J** **I.A.No.02 of 2026** Heard the learned counsel for the Petitioner. For the reasons mentioned in the affidavit filed in support of the Application, this Application is ordered. The Writ Petition is filed questioning the Proceedings vide Rc.C1-110870/2025 E.No.95360, dated 07.05.2026, relieving the Petitioner from the post of Biologist/Sr.Entomologist though the Petitioner had submitted a Letter to the Respondent Authorities relinquishing his promotion to the post of District Malaria Officer on 06.05.2026 as illegal and arbitrary. The Petitioner was working as Biologist/Sr. Entomologist in the Respondent No.3 Corporation. While so, the Respondent No.2 issued Proceedings dated 05.05.2026 promoting the Petitioner to the cadre of District Malaria Officer and posting him in the vacant post of East Godavari District. On account of certain family issues, the Petitioner submitted a Letter on 06.05.2026 relinquishing his right to promotion to	

		the post of District Malaria Officer. However, the Respondent No.3, without taking note of the said Letter, relieved the Petitioner from service vide Proceedings dated 07.05.2026. Hence, the present Writ Petition. Learned Assistant Government Pleader appearing for Services-I as well as the Standing Counsel for Respondent No.3 submit that the Petitioner was relieved from service on 07.05.2026 and that a substitute person has been appointed in his place. Sri V. Ramesh, learned counsel appearing for the implead petitioner/the person who is working as Biologist/Sr. Entomologist in Respondent No.3 Corporation, submits that at this length of time, if the petitioner is once again brought back to the erstwhile post, the implead Respondent would be seriously prejudiced. Heard the counsels. Rule 28 of the A.P. State and Subordinate Service Rules, 1996, provides for seeking relinquishment of promotion. The Petitioner though promoted as District Malaria Officer vide Proceedings dated 05.05.2026, had sought relinquishment of the said promotion and though the said application is pending, the Petitioner has been relieved.	

		The relinquishment of promotion is a personal choice of individuals and unless it is against the public interest, individuals cannot be compelled to work in the promoted post. Therefore, there shall be an interim direction as follows: i) The Respondent No.2 shall continue the Petitioner in the erstwhile post as Biologist/Sr.Entomologist pending further orders. ii) The implead Respondent shall be continued in the available vacancies in the Respondent No.3 Corporation. Post on 29.06.2026. **VN, J** eha.	