

**THE HONOURABLE SRI JUSTICE D.RAMESH**

**WRIT PETITION No.15897 of 2023**

**ORDER:**

The Writ Petition under Article 226 of the Constitution of India is filed seeking to declare the impugned proceedings in C.No.4611/A6/PR/2013 D.O.No.1864/2016, dated 21.10.2016 on the file of the 3<sup>rd</sup> respondent, whereby awarded a major punishment of dismissal from service against the petitioner based on conviction passed in criminal cases vide SC No.95 of 2013 by invoking Rule 25 (1) of APCS (CC&A) Rules, 1991 as illegal, arbitrary and set aside the same.

2. Heard the learned counsel for the petitioner and learned Government Pleader appearing for the respondents.

3. During the hearing, learned counsel for the petitioner has submitted that based on the criminal case which was lodged against the petitioner and based

on the conviction orders, the petitioner was removed from the service. Subsequently, the petitioner filed an appeal before the Prl. District and Sessions Judge, Ananthapuramu. It is further submitted that the said appeal was allowed on 28.10.2020 by setting aside the conviction orders passed against the petitioner. Immediately after the said orders, the petitioner has made a representation to the 3<sup>rd</sup> respondent and the receipt of the said representation was acknowledged by the 3<sup>rd</sup> respondent on 25.01.2021.

3. Considering the above said submissions and on perusal of the record, as the conviction orders against the petitioner was already been set aside by the Appellate Court in Criminal Appeal No.102 of 2016, the 3<sup>rd</sup> respondent is directed to consider the representation made by the petitioner on 25.01.2021 and take appropriate decision within a period of one(1) month from the date of receipt of copy of this Order.

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

Miscellaneous petitions pending if any, shall stand closed.

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**JUSTICE D.RAMESH**

Date : 04.07.2023  
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