



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



MONDAY ,THE SIXTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 17910/2023

Between:

1.K RAJA KUMARI, W/O SAMUEL ADIDELA, AGED. 38 YRS,
WORKING AS TOWN PLANNING SUPERVISOR, RAJAHMUNDRY
URBAN DEVELOPMENT AUTHORITY, RAJAMAHENDRAVARAM,
EAST GODAVARI DISTRICT.

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP., BY ITS PRL.
SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN
DEPARTMENT, SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT.
- 2.THE DIRECTOR OF TOWN AND COUNTRY PLANNING, GOVT. OF
ANDHRA PRADESH, MGM CAPITAL, GROUND FLOOR, NRI
HOSPITAL, NH FLYOVER, MANGALAGIRI DISTRICT, AMARAVATI.

...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 of Writ of Mandamus declaring the action of the respondents in not considering the case of the petitioner for promotion to the post of Town Planning Officer under 2nd respondent/Director of Town and Countr, Planning, as illegal, unjust, arbitrary and contrary to law and violation of Principles of Natural Justice besides violation of Articles 14, 16 and 21 of the Constitution of India and to consequently direct the respondents to forthwith

consider the case of the petitioner for promotion to the next level post i.e., Town Planning Officer as per G.O.Ms.No.257, General Administration (SER.C) Department, dated 10/06/1999 and G.O.Ms.No.529, General Administration (SERVICES.C), Department, dated 19/08/2008 without referring to the pending Departmental Proceedings against the petitioner and to pass

IA NO: 1 OF 2023

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 pass an Interim Order by directing the respondents to consider the case of the petitioner for promotion to the next level post of Town Planning Officer as per G.O.Ms.No.257, General Administration (SER.C), Department, dated 10/06/1999 and G.O.Ms.No.529, General Administration (SERVICES.C), Department, dated 19/08/2008 without referring the pending Departmental Proceedings vide G.O.Rt.No.73 and 78, MAandUD(Vig-1) Department, dated 23/02/2021, during the pendency of the writ petition in the interest of justice and to pass

Counsel for the Petitioner:

1.K JYOTHI PRASAD

Counsel for the Respondent(S):

1.GP FOR SERVICES IV

The Court made the following ORDER:

The above writ petition is filed to declare the respondents' action in not considering the petitioner's case for promotion to the post of Town Planning Officer, as illegal and arbitrary.

2. Heard Sri K. Jyothi Prasad, learned counsel for the petitioner, Sri S. Raju, learned Assistant Government Pleader for Services for the respondents.

3. By order, dated 20.07.2023, the Coordinate Bench of this Court directed the respondents to consider the case of the petitioner for promotion as per

G.O.Ms.No.257, General Administration (SER.C) Department, dated 10.06.1999. 4

4. At the hearing, a copy of proceedings in Roc.No.2169914/2023/M4 dated 31.08.2023, is produced, whereby respondent No.2 passed a speaking order, in pursuance of the interim order, stating that the petitioner's candidature for promotion to the post of TPO will be considered as per the guidelines issued in G.O.Ms.No.257, General Administration (Services-C) Department dated 10.06.1999. The speaking order was communicated to the petitioner.

5. Learned Assistant Government Pleader submitted that disciplinary proceedings are pending against the petitioner and RDDTP, Rajamahendravaram submitted a detailed report. He submitted that respondent No.1 issued G.O.Rt.No.73 MA & UD (Vig.I) Department dated 23.02.2021, initiating common disciplinary proceedings against the petitioner and others under Rule 24 of A.P.C.S. (CCA) Rules, 1991 and articles of charges were framed against the petitioner *vide* G.O.Rt.No.78 MA & UD (Vig.I) Department dated 23.02.2021, for which the petitioner submitted a written defence on 19.03.2021 and 23.03.2021. While taking up the promotion of Town Planning Officer, the petitioner's case will be considered along with other eligible candidates. As per the seniority, the petitioner's turn has not yet come for consideration.

6. Learned Assistant Government Pleader for Services also placed G.O.Rt.No.912 Municipal Administration and Urban Development (B1) Department dated 14.11.2024, whereby petitioner was sanctioned EL/HPL/EOL from 17.11.2024 to 10.10.2029 for four years ten months twenty-four days, on private affairs (to go to Canada).

7. Given the speaking order on 31.08.2023 indicating that the petitioner's case will be considered as and when her turn comes up, this writ petition is

disposed of at the admission stage, with the consent of learned counsel on either side, directing the respondents to consider the petitioner's case for promotion, by following due process of law. No costs.

Miscellaneous petitions pending, if any, shall stand closed.

SUBBA REDDY SATTI, J

Date: 06.01.2025

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THE HON'BLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION No.17910 OF 2023

Date: 06.01.2025

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