

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

TUESDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE



:PRESENT:
THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 4844 OF 2023

Between:

M Sankaraiah, S/o.Laxmaiah, Aged about 50 years, Occ: Filed Assistant, R/o.
K.S. Agraharam, Chitvel Mandal, Annamayya District.

Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Panchayat Raj and Rural Development, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Commissioner, Panchayat Raj and Rural Development, Tadepalli, Guntur District.
3. The District Collector/DPC, MGNREGS, Annamayya District.
4. The Project Director/Joint Secretary, SRDS, District Water Management Agency, Annamayya District.
5. The Assistant Project Director, Kodur, Annamayya District.

Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an order or direction more particularly one in the nature of the Writ of Mandamus, declaring the action of the 4th respondent without issuing any notice of termination orally on the ground that the petitioner did not provide sufficient man days by proceedings R.C.No.2476/DWMA/Court Cases/2022, dated 28.11.2022 as arbitrary, illegal, contrary to Rules and violation of the Article 14 of the Constitution of India and consequently by setting aside the proceedings R.C.No.2476/DWMA/Court Cases/2022, dated 28.11.2022 of the 4th respondent and direct the Respondents particularly 4th Respondent to reinstate the petitioner as Field Assistant, by reactivating the FTE Code.CRD/16717, K.S. Agraharam, Chitvel Mandal, Annamayya District and pay the salary and other emoluments due to the petitioner from August, 2021 onwards.

IA NO: 2 OF 2023 :

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 4th Respondent stay of new appointment of Field Assistant for K.S.Agraharam, Chitvel Mandal, Annamayya District in place of the petitioner, Pending disposal of WP 4844 of 2023, on the file of the High Court.

IA NO: 1 OF 2023:

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 4th Respondent to continue the petitioner as Field Assistant of K.S.Agraharam, Chitvel Mandal, Annamayya District, Pending disposal of WP 4844 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. K VENUGOPAL REDDY Advocate for the Petitioner and of GP FOR SERVICES-IV for the Respondents 1,2 & 5 and of SRI M.S.P.CHANDRA MURTHY, STANDING COUNSEL FOR M.G.N.R.E.G.S for the Respondent No.3, the Court made the following

ORDER:

"Heard learned counsel for the petitioner and learned Government Pleader for Services-IV,

Having regard to the submissions made by learned counsel for the petitioner, there shall be an interim direction to the respondents not to appoint any other person as Field Assistant in K.S.Agraharam, Chitvel Mandal, Annamayya District, in the place of the petitioner.

List the matter on 28.03.2023.

In the meanwhile, learned Government Pleader for Services-IV is directed to file counter."

**Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj and Rural Development, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Commissioner, Panchayat Raj and Rural Development, Tadepalli, Guntur District.
3. The District Collector/DPC, MGNREGS, Annamayya District.
4. The Project Director/Joint Secretary, SRDS, District Water Management Agency, Annamayya District.
5. The Assistant Project Director, Kodur, Annamayya District. (Addresses 1 to 5 by RPAD)
6. One CC to SRI. K VENUGOPAL REDDY Advocate [OPUC]
7. Two CCs to GP FOR SERVICES IV, High Court Of Andhra Pradesh. [OUT]

8. One CC to SRI M.S.P.CHANDRA MURTHY, STANDING COUNSEL FOR
M.G.N.R.E.G.S. [OPUC]

9. **One spare copy**

ER

HIGH COURT

NV, J

DATED:28/02/2023

LIST THE MATTER ON 28.03.2023

ORDER

WP.No.4844 of 2023

INTERIM DIRECTION

