

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

THURSDAY, THE THIRD DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HON'BLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 22133 OF 2024



Between:

M. Sumalatha, W/o. Nityananda Babu, aged 35 years, Occ: Senior Mate
Dasarapalli R/o 1-1 Dasarapalli Harijanawada village Yadamani Mandal,
Chittoor District.

...PETITIONER

AND

1. The State of AP, Rep by its Prl Secretary Panchayatraj and Rural Development Department Secretariat Amaravati Guntur District.
2. Member Secretary SRDS, O/o Commissioner Panchayatraj and Rural Development Department Tadapalli Guntur District.
3. The District Collector, Chittoor District Chittoor AP.
4. Project Director DWMA, District water Management Agency Chittoor District Chittoor AP.
5. The Mandal Parishad Development Officer, Yadamani Mandal, Yadamani Chittoor District AP.

...RESPONDENTS

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 or writs more particularly in the nature of writ of mandamus declaring the impugned action of the respondents in preventing the petitioners from attending their duties as Field Assistants/Senior Mates and threatening to terminate the services of the petitioners by hook or crook though the petitioners have not committed any irregularities or misconduct and without any notice or opportunity and insisting the petitioners to submit resignation to their jobs and not paying salaries from

the month of July,2024 as illegal, arbitrary, high handed, discriminatory, violation of principles of natural justice and cannot be justified in the eye of law and consequently direct the respondents to continue the petitioners as Field Assistants/Senior Mates in their respective gram panchayats with all consequential benefits and to pay salaries from the month of July,2024.in the interest of justice.

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents to allow the petitioners to discharge their duties as Field Assistants/Senior Mates by continuing them in service in their respective Gram Panchayats without insisting the petitioners to submit resignation to their posts pending disposal of the above Writ Petition in the interest of justice.

Counsel for the Petitioner : SRI CH. SRINIVAS

**Counsel for the Respondent No.1 : SRI R.S. MANIDHAR PINGALI,
ASST.GP FOR SERVICES IV**

**Counsel for the Respondent Nos.2 to 4 :SRI M.S.R. CHANDRA MURHTY,
SC FOR DWMA**

**Counsel for the Respondent No.5 :SMT. B.V. APARNA LAKSHMI,
SC FOR GRAM PANCHAYAT**

The Court at the stage of admission made the following: ORDER



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

[3331]

THURSDAY ,THE THIRD DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 22133/2024

Between:

1.M SUMALATHA, W/O NITYANANDA BABU AGED 35 YERS OCC
SENIOR MATE DASARAPALLI R/O 1-1 DASARAPALLI
HARIJANAWADA VILLAGE YADAMANI MANDAL, CHITTOOR
DISTRICT.

...PETITIONER

AND

- 1.THE STATE OF AP, REP BY ITS PRI SECRETARY PANCHAYATRAJ
AND RURAL DEVELOPMENT DEPARTMENT SECRETARIAT
AMRAVATI GUNTUR DISTRICT
- 2.MEMBER SECRETARY SRDS, O/O COMMISSIONER
PANCHAYATRAJ AND RURAL DEVELOPMENT DEPARTMENT
TADAPALLI GUNTUR DISTRICT
- 3.THE DISTRICT COLLECTOR, CHITTOOR DISTRICT CHITTOOR AP
- 4.PROJECT DIRECTOR DWMA, DISTRICT WATER MANAGEMENT
AGENCY CHITTOOR DISTRICT CHITTOOR AP
- 5.THE MANDAL PARISHAD DEVELOPMENT OFFICER, YADAMANI
MANDAL, YADAMANI CHITTOOR DISTRICT AP

...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 or writs more particularly in the nature of writ of mandamus declaring the impugned action of the respondents in preventing the petitioners from attending their duties as Field Assistants/Senior Mates and threatening to terminate the services of the petitioners by hook or crook though the petitioners have not committed any irregularities or misconduct and without any notice or opportunity and insisting the petitioners to submit resignation to their jobs and not paying salaries from the month of July, 2024 as illegal, arbitrary, high handed, discriminatory, violation of principles of natural justice and cannot be justified in the eye of law and consequently direct the respondents to continue the petitioners as Field Assistants/Senior Mates in their respective gram panchayats with all consequential benefits and to pay salaries from the month of July, 2024 in the interest of justice and pass

IA NO: 1 OF 2024

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 direct the respondents to allow the petitioners to discharge their duties as Field Assistants/Senior Mates by continuing them in service in their respective Gram Panchayats without insisting the petitioners to submit resignation to their posts pending disposal of the above Writ Petition in the interest of justice and pass

Counsel for the Petitioner:

1. CH SRINIVAS

Counsel for the Respondent(S):

1. GP FOR SERVICES

The Court made the following ORDER:

The above writ petition is filed to declare the action of the respondents in preventing the petitioner from discharging her duties as Senior mate in Dasarapalli Gram Panchayat, Chittoor District as illegal and arbitrary.

2. Heard Sri Ch.Srinivas, learned counsel for the petitioner; Sri R.S. Manidhar Pingali, learned Assistant Government Pleader for Services for respondent No.1; Sri M.S.R. Chandra Murthy, learned Standing counsel for respondent Nos. 2 to 4 and Smt B.V.Aparna Lakshmi, learned Standing counsel for respondent No.5.

3. Learned counsel for the petitioner would submit that the petitioner was appointed as Senior mate in Dasarapalli Gram Panchayat, Chittoor District *vide* proceedings Rc.No.K8/0417/21, dated 22.12.2022 and since then she has been discharging her duties. Learned counsel further would submit that after change of Government, the respondents are not allowing the petitioner to discharge her duties.

4. Learned standing counsels, on instructions furnished by the Project Director, DWMA, Chittoor would submit that the petitioner has not been attending her duties for the last two months as such, a show-cause notice *vide* Rc.No.K8/129/2024, dated 20.08.2024 was issued by the 4th respondent. However, the petitioner has not submitted any explanation. Learned standing counsels would further submit that the authorities are not interfering with the petitioner's discharging duties. Learned standing counsel would further submit that if the petitioner attends the duty, the respondent authorities will not object.

5. In reply, learned counsel for the petitioner would submit that she has submitted explanation to the show-cause notice.

6. Copy of instructions is placed on record.

7. Given the facts and circumstances of the case coupled with the instructions furnished by Project Director, DWMA, Chittoor District, the Writ Petition is disposed of, at the admission stage with the consent of learned counsel on either side, directing the respondents not to prevent the petitioner

from discharging duty as Senior mate in Dasarapalli Gram Panchayat, Chittoor District, without following due process. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

SD/- M. SURYANADHA REDDY
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Panchayatraj and Rural Development Department, State of AP, Secretariat Amaravati Guntur District.
2. The Member Secretary SRDS, O/o. Commissioner Panchayatraj and Rural Development Department Tadapalli Guntur District.
3. The District Collector, Chittoor District Chittoor AP.
4. The Project Director DWMA, District water Management Agency Chittoor District Chittoor AP.
5. The Mandal Parishad Development Officer, Yadamani Mandal, Yadamani Chittoor District AP.
6. One CC to Sri Ch. Srinivas, Advocate [OPUC]
7. Two CCs to GP for Services IV, High Court of Andhra Pradesh. [OUT]
8. One CC to Sri M.S.R. Chandra Murthy, SC for DWMA (OPUC)
9. One CC to Smt. B.V. Aparna Lakshmi, SC for Gram Panchayat (OPUC)
10. Three C.D. Copies.

Cnr

HIGH COURT

DATED:03/10/2024

ORDER

WP.No.22133 of 2024



**DISPOSING OF THE W.P. AT THE STAGE OF
ADMISSION WITHOUT COSTS**