

(SHOW CAUSE NOTICE BEFORE ADMISSION)  
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI  
(SPECIAL ORIGINAL JURISDICTION)

THURSDAY, THE EIGHTH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE DR JUSTICE K MANMADHA RAO  
WRIT PETITION NO: 28888 OF 2022



**Between:**

A.Ratna Kumari, W/o P.D. Prasanna Kumar, Aged about 58 years, Occ. M.P.H.A  
(Female), P.H.C. Muvva, Sub-center, Muwa, Krishna District.

**Petitioner**

**AND**

1. The State Of Andhra Pradesh, Rep. by Principal Secretary, Medical and Health Family welfare Department Secretariat, Velagapudi, Amaravathi, Guntur District. A.P.
2. The Director of Public Health and Family Welfare, State of Andhra Pradesh, Vijayawada, NTR District.(Previously Krishna District)
3. The Regional Director of Medical and Health Services, Zone-II, Rajamahendravaram, East Godavari District.
4. The District Medical and Health Officer, Krishna District, Machilipatnam.

**Respondents**

WHEREAS the Petitioner above named through her Advocate SRI T S N SUDHAKAR presented this 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 Order more in the nature of Mandamus to declare the action of the respondents in not considering the case of the petitioner for promotion to the post of Multipurpose Health Supervisor (Female) which is a non-selection post on account of pendency of departmental enquiry arising out of charge memo issued by the 2<sup>nd</sup> respondent Memo RC.No. 1158/VC.I.B/2017, dated 28.02.2017, as illegal, arbitrary, unjust, violative of Rule 5 (b) of AP State and Sub-Ordinate Service Rules, AP High Court Division Bench Judgment in WP.No.5291/2019 dated 10.02.2021, G.O.Ms.No.679 dated 01.11.2008, and consequentially direct the respondents to consider the petitioner claim for promotion to the post of Multipurpose Health Supervisor (Female) without reference to the charge memo vide Memo RC.No. 1158/VC.I.B/2017, dated 28.02.2017, in terms of Rule 5 (b) of AP State and Sub-Ordinate Service Rules, by extending the benefit of AP High Court Division Bench Judgment in WP.No.5291/2019 dated 10.02.2021.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri T S N SUDHAKAR Advocate for the Petitioner, learned GP FOR SERVICES IV for the Respondents, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Medical and Health Family welfare Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.A.P.
2. The Director of Public Health and Family Welfare, State of Andhra Pradesh, Vijayawada, NTR District.(Previously Krishna District)
3. The Regional Director of Medical and Health Services, Zone-II, Rajamahendravaram, East Godavari District.
4. The District Medical and Health Officer, Krishna District, Machilipatnam.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith(copy enclosed ) this WRIT PETITION should not be admitted on or before 01.11.2022, on which date the case stands posted for hearing.

**IA NO: 1 OF 2022**

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 consider the petitioner claim for promotion to the post of Multipurpose Health Supervisor (Female) without reference to the charge memo vide Memo RC.No. 1158/VC.I.B/2017, dated 28.02.2017 issued by the 2<sup>nd</sup> respondent in terms of Rule 5 (b) of AP State and Sub-Ordinate Service Rules, by extending the benefit of AP High Court Division Bench Judgment in WP.No.5291/2019 dated 10.02.2021, pending disposal of WP No. 28888 of 2022, on the file of the High Court.

**The Court made the following order :**

**"Notice before admission.**

**Heard both the counsel.**

**Learned Government Pleader for Services-IV takes notice for the respondents and sought time for filing the counter-affidavit.**

**Post on 01.11.2022.**

**Meanwhile, the respondents are directed to consider the case of the petitioner for promotion to the post of Multipurpose Health Supervisor (Female) in terms of Rule 5(b) of A.P. State and Subordinate Service Rules, within six (06) weeks from the date of receipt of the order."**

**//TRUE COPY//**

**Sd/- SK. MD. RAFI  
ASSISTANT REGISTRAR**

**SECTION OFFICER**



To,

1. The Principal Secretary, Medical and Health Family welfare Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.A.P.
2. The Director of Public Health and Family Welfare, State of Andhra Pradesh, Vijayawada, NTR District.(Previously Krishna District)
3. The Regional Director of Medical and Health Services, Zone-II, Rajamahendravaram, East Godavari District.
4. The District Medical and Health Officer, Krishna District, Machilipatnam.( 1 to 4 by RPAD- along with a copy of petition and affidavit)
5. One CC to SRI. T S N SUDHAKAR Advocate [OPUC]
6. Two CCs to GP FOR SERVICES IV ,High Court Of Andhra Pradesh. [OUT]
7. One spare copy

RVK

**HIGH COURT**

**DRKMRJ**

**DATED:08/09/2022**

**NOTE : POST ON 01.11.2022.**

**NOTICE BEFORE ADMISSION**

**WP.No.28888 of 2022**

**DIRECTION**

