

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF NOVEMBER

TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 24765 OF 2024



**Between:**

Puli Penchalamma, S/o. Mastanaiah, aged about 43 years, Occ- Field Assistant, Niduguntapalem Grama Panchayat, Venkatachalam Mandal, SPSR Nellore District.

...Petitioner

**AND**

1. The State of Andhra Pradesh, Rep. by Principal Secretary, (Panchayatraj and Rural Development), Secretariat Buildings, Velagapudi, Guntur District.
2. The Commissioner, Rural Development/State Programme Coordinator of M.G. National Rural Employment Guarantee Scheme (MGNREGS) Vijayawada.
3. The District Collector / District Programme Co-ordinator, SPSR Nellore District, Nellore.
4. The Project Director, District Water Management Agency, Nellore.
5. The Mandal Parishad Development Officer, Venkatachalam Mandal, SPSR Nellore District.
6. The Additional Programme Officer, MGNREGS, Venkatachalam Mandal, SPSR Nellore District.

...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 the Writ order or Direction more particularly in the nature of Writ of Mandamus, declaring the action of the Respondents No. 5

and 6 who has not allowing the petitioner to attend for his duty as Field Assistant at Nidiguntapalem Gram Panchayat of Venkatachalam Mandal, SPSR Nellore District, without following due procedure of law as illegal, arbitrary and against the principles of natural Justice and violation of Article 14, 21 and 300-A of Constitution of India and Consequently directing the Respondent Authorities to allow the petitioner for works as Field Assistant for Nidiguntapalem Gram Panchayat of Venkatachalam Mandal, SPSR Nellore District

**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 respondent authorities to allow the petitioner to attend for duty as Field Assistant for Nidiguntapalem Gram Panchayat of Venkatachalam Mandal, SPSR Nellore District, Pending disposal of the above writ petition

**Counsel for the Petitioner: SRI V ROOPESH KUMAR REDDY**

**Counsel for the Respondent No.1: GP FOR SERVICES I & IV**

**Counsel for the Respondents No.2 to 4 & 6: SRI M S R  
CHANDRAMURTHY**

**Counsel for the Respondent No.5: SMT. B V APARNALAKSHMI**

**The Court made the following: Order**



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

**[3331]**

**MONDAY, THE FOURTH DAY OF NOVEMBER  
TWO THOUSAND AND TWENTY FOUR**

**PRESENT**

**THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI**

**WRIT PETITION NO: 24765/2024**

**Between:**

1. PULI PENCHALAMMA, S/O. MASTANAIAH, AGED ABOUT 43 YEARS,  
OCC- FIELD ASSISTANT, NIDUGUNTAPALEM GRAMA PANCHAYAT,  
VENKATACHALAM MANDAL, SPSR NELLORE DISTRICT.

**...PETITIONER**

**AND**

1. THE STATE OF ANDHRA PRADESH, REP. BY PRINCIPAL  
SECRETARY, (PANCHAYATRAJ AND RURAL DEVELOPMENT),  
SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT.

2. THE COMMISSIONER, RURAL DEVELOPMENT/STATE  
PROGRAMME COORDINATOR OF M.G. NATIONAL RURAL  
EMPLOYMENT GUARANTEE SCHEME (MGNREGS) VIJAYAWADA.

3. THE DISTRICT COLLECTOR / DISTRICT PROGRAMME  
COORDINATOR, SPSR NELLORE DISTRICT, NELLORE.

4. THE PROJECT DIRECTOR, DISTRICT WATER MANAGEMENT  
AGENCY, NELLORE.

5. THE MANDAL PARISHAD DEVELOPMENT OFFICER,  
VENKATACHALAM MANDAL, SPSR NELLORE DISTRICT.

6. THE ADDITIONAL PROGRAMME OFFICER, MGNREGS,  
VENKATACHALAM MANDAL, SPSR NELLORE DISTRICT.

**...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 may be pleased to issue the Writ order or Direction more particularly in the nature of Writ of Mandamus, declaring the action of the Respondents No. 5 and 6 who has not allowing the petitioner to attend for his duty as Field Assistant at Nidiguntapalem Gram Panchayat of Venkatachalam Mandal, SPSR Nellore District, without following due procedure of law as illegal, arbitrary and against the principles of natural Justice and violation of Article 14, 21 and 300-A of Constitution of India and Consequently directing the Respondent Authorities to allow the petitioner for works as Field Assistant for Nidiguntapalem Gram Panchayat of Venkatachalam Mandal, SPSR Nellore District and to 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 may be pleased to direct the respondent authorities to allow the petitioner to attend for duty as Field Assistant for Nidiguntapalem Gram Panchayat of Venkatachalam Mandal, SPSR Nellore District, Pending disposal of the above writ petition and to pass

**Counsel for the Petitioner:**

1.V ROOPESH KUMAR REDDY

**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 5 and 6 in preventing the petitioner from discharging his duties as Field Assistant in Nidiguntapalem Gram Panchayat of Venkatachalam Mandal, SPSR Nellore District as illegal and arbitrary.

2. Heard Sri V.Roopesh Kumar Reddy, 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

respondents 2 to 4 and 6 and Smt B.Aparna Lakshmi, learned Standing counsel for respondent 5.

3. Learned counsel for the petitioner would submit that the petitioner was appointed as Field Assistant in Nidiguntapalem Gram Panchayat of Venkatachalam Mandal, SPSR Nellore District on 25.05.2023. He would submit that without passing any order or without issuing any notice, the respondents 5 and 6 are interfering with the petitioner's discharging duty as Field Assistant.

4. Sri M.S.R. Chandra Murthy, learned Standing counsel, would submit that neither respondent No.5 nor respondent No.6 is interfering with the petitioner discharging duty as Field Assistant. He also submitted instructions furnished by Mandal Parishad Development Officer, Venkatachalam, wherein it was stated that petitioner was absconded to duties without prior permission from the authorities. Learned Standing counsel would further submit that if the petitioner attends the duty, the respondents 5 and 6 will not object.

5. Copy of instructions is placed on record.

6. Given the facts and circumstances of the case coupled with the instructions furnished by Mandal Parishad Development Officer, Venkatachalam, the writ petition is disposed of, at the admission stage with the consent of learned counsel on either side, directing the respondents 5 and 6 not to prevent the petitioner from discharging duty as Field Assistant in Nidiguntapalem Gram Panchayat of Venkatachalam Mandal, SPSR Nellore District, without following due process. No costs.

Miscellaneous petitions pending, if any, shall stand closed.

**Sd/- B PRASADA RAO**  
**ASSISTANT REGISTRAR**

**//TRUE COPY//**

**SECTION OFFICER**

To,

1. The Principal Secretary, State of Andhra Pradesh, (Panchayatraj and Rural Development), Secretariat Buildings, Velagapudi, Guntur District.
2. The Commissioner, Rural Development/State Programme Coordinator of M.G. National Rural Employment Guarantee Scheme (MGNREGS) Vijayawada.

3. The District Collector / District Programme Co-ordinator, SPSR Nellore District, Nellore.
4. The Project Director, District Water Management Agency, Nellore.
5. The Mandal Parishad Development Officer, Venkatachalam Mandal, SPSR Nellore District.
6. The Additional Programme Officer, MGNREGS, Venkatachalam Mandal, SPSR Nellore District.
7. One CC to SRI V ROOPESH KUMAR REDDY Advocate [OPUC]
8. Two CCs to GP FOR SERVICES I & IV, High Court of Andhra Pradesh [OUT]
9. One CC to SRI M S R CHANDRAMURTHY, Advocate [OPUC]
10. One CC to SMT. B APARNA LAKSHMI, Advocate [OPUC]
11. Three CD Copies

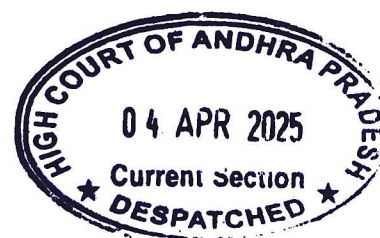
(gsg)

**HIGH COURT**

**DATED: 04/11/2024**

**ORDER**

**WP.No.24765 of 2024**



**DISPOSING THE WRIT PETITION  
WITHOUT COSTS**