

**THE HON'BLE DR. JUSTICE K. MANMADHA RAO**

**WRIT PETITION No.33358 OF 2022**

**ORDER:**

This Writ Petition is filed under Article 226 of the Constitution of India, seeking the following relief:

*“.....to issue a Writ, Order or direction more particularly one in the nature of Writ of mandamus questioning the action of the respondent authorities in issuing removal order dated 18.07.2021 by the 4<sup>th</sup> respondent without conducting proper enquiry on the charges as illegal, arbitrary and villative of Articles 14, 16 and 21 of the Constitution of India, apart from contrary to Principles of natural justice and liable to be set aside; and consequently direct the respondents to reinstate the petitioner into service forthwith and pass such other orders....”*

2. Heard Mr. K. Srinivasa Prasad, learned counsel for the petitioner and learned Government Pleader for Services-IV for the 1<sup>st</sup> respondent; Mr. M.S.R.Chandra Murty, learned Standing Counsel for respondents 2 to 4 and Ms. B.V.Aparna Lakshmi, learned Standing Counsel for the 5<sup>th</sup> respondent.

3. Though the petitioner made several allegations against the respondents, during the course of hearing learned counsel for the petitioner requested this Court to issue a direction to the 3<sup>rd</sup> respondent to dispose of the Appeal filed by the petitioner dated 02.08.2021 (which is material paper No.30 in the writ petition), without touching the merits of the case.

4. Learned Government Pleader appearing for the respondents and readily agreed to dispose of the Appeal filed by the petitioner dated 02.08.2021, if any pending with the respondent authorities.

5. In view of the submission of learned counsel appearing for respondents, I need not decide the truth or otherwise of the allegations made in the petition.

6. This Court is conscious that no such direction be issued in view of the judgment of the Apex Court in ***The Government of India v. P.Venkatesh***<sup>1</sup>, wherein the Apex Court held that such orders may be passed for a quick or easy disposal of cases in overburdened adjudicatory institutions but, they do not serve to the cause of justice. As the learned counsel for the petitioner himself requested to issue a direction to dispose of the Appeal filed by the petitioner dated 02.08.2021, I find no other alternative except to issue such direction.

7. In the result, Writ Petition is disposed of, directing the 3<sup>rd</sup> respondent to dispose of the Appeal filed by the petitioner dated 02.08.2021, in accordance with law, within eight (08) weeks from the date of receipt of a copy of this order. No costs.

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<sup>1</sup> 2019 (8) SCALE 544

As a sequel, miscellaneous applications pending, if any, shall also stand closed.

**DR.K. MANMADHA RAO, J**

Date: 13.10.2022

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