APHC010207662020

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3330]
(Special Original Jurisdiction)

FRIDAY, THE 16th DAY OF OCTOBER 2026

PRESENT
THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.13620 of 2020

Between:

1. B VIJAYA VENKATESWARA RAO, S/O LATE SAMBASIVA RAO, AGED ABOUT 54 YEARS, HINDU, WORKING AS INSPECTOR OF POLICE, POLICE CONTROL ROOM, SRIKAKULAM, VISAKHAPATNAM RANGE, ANDHRA PRADESH.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, HOME DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT, ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY.
2. THE DIRECTOR GENERAL OF POLICE, STATE OF ANDHRA PRADESH, MANGALAGIRI, GUNTUR DISTRICT, ANDHRA PRADESH.
3. THE DEPUTY INSPECTOR GENERAL OF POLICE, VISAKHAPATNAM RANGE, VISAKHAPATNAM, ANDHRA PRADESH.
4. THE COMMISSIONER OF POLICE, VISAKHAPATNAM CITY, VISAKHAPATNAM, ANDHRA PRADESH.

...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 an appropriate Writ, Order, or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in passing the speaking Orders dated 20.07.2022 vide Rc. No. 841/G3/2020 and to pass such other orders as this Honble court may deem fit and proper in the interest of justice. Main Prayer amended/substituted as per Court Order dated 23.04.2026 vide IA No.1 of 2026 in WP No.13620 of 2020.

Counsel for the Petitioner:

1. ANIL KUMAR DASARI

Counsel for the Respondent(S):

1. GP FOR HOME
2. GP FOR SERVICES I

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.13620 of 2020

ORDER:

The petitioner herein was selected for the post of Sub-Inspector of Police in the year 1991 and subsequently, he was promoted as Inspector of Police in the year 2009. The petitioner is eligible for promotion in the cadre of Deputy Superintendent of Police (DSP). The petitioner's name was not considered in the provisional seniority list communicated vide memo dated 06.06.2010, due to the disciplinary proceedings pending against the petitioner.

2. The petitioner herein filed O.A.No.2633 of 2018 before the Andhra Pradesh Administrative Tribunal. The Tribunal, vide order dated 12.12.2018, directed the respondents to consider the case of the petitioner for promotion in the cadre of DSP in terms of G.O.Ms.No.66 dated 30.01.1991. Subsequently, the petitioner filed W.P.No.17620 of 2019 before this Court. This Court has disposed of the said Writ Petition, directing the respondent-authorities to consider the case of the petitioner for promotion in terms of G.O.Ms.No.257 dated 10.06.1999. It appears that the respondents have not considered the case of the petitioner as directed by this Court in W.P.No.17620 of 2019.

3. Upon perusal of the affidavit filed in support of the Writ Petition, it appears that the petitioner herein filed a representation dated 18.12.2019 requesting the authorities to grant ad hoc promotion in the cadre of DSP. The said representation was rejected by the respondent-authorities. Therefore, the petitioner herein filed an application for amendment of the prayer to set aside the rejection order of the respondents dated 20.07.2022. The said order was assailed in the present Writ Petition on several grounds.

4. After arguing for some time, learned counsel for the petitioner, would submit that it would suffice to direct the respondent authorities to dispose of the disciplinary proceedings, as expeditiously as possible, failing which the respondents may be directed to consider the case of the petitioner for ad hoc promotion in the cadre of DSP.

5. Learned Assistant Government Pleader for Services-I placed written instructions dated 05.10.2026 (form part of record). The said written instructions manifest that the disciplinary proceedings arising out of the ACB trap case are under enquiry and the case of the petitioner for promotion to the post of DSP was not recommended by the DPC held on 17.12.2025 in view of the pendency of the said disciplinary proceedings and the enquiry officer appointed duly withdrawing the

case from the Commissioner of Inquiries and the said order was communicated to the Commissioner of Police dated 13.07.2026. In view of the pendency of the disciplinary proceedings against the petitioner, the case of the petitioner was not considered for promotion in the cadre of DSP. Hence, seeks for dismissal of the Writ Petition.

6. Without adverting to the merits of the case, the present Writ Petition is disposed of, directing the respondent authorities to conclude the disciplinary proceedings, as expeditiously as possible, preferably, within a period of four (4) months from the date of receipt of a copy of this order, failing which, the petitioner is entitled for ad hoc promotion in the cadre of Deputy Superintendent of Police (DSP). There shall be no order as to costs.

As a sequel thereto, Interlocutory Applications pending, if any, shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 16.10.2026

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.13620 of 2020

Date: 16.10.2026

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