

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

C.C No. of 2025

in

W.P. No. 12782 of 2025

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Place : Vijayawada,

Date: 3-08-2025

DV. SAJJADHAR

COUNSEL FOR THE PETITIONER

①

MEMORANDUM OF CONTEMPT CASE FILED UNDER SECTION 10
TO 12 OF THE CONTEMPT OF COURTS ACT, 1971
[SPECIAL ORIGINAL JURISDICTION]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

C.C.No. OF 2025

IN

W.P. No. 12782 of 2025

Between;

Dasari Koteswara Rao, S/o. Pullaiah,

Aged about 40 years, Occ: Junior Assistant (Currently out of service)

R/o. Mamidipalem, Ongole, Prakasam District

...Petitioner

AND

K.Ramachandra Mohan,

The Commissioner,

Endowments Department, AP.

Gollapudi, Vijayawada, NTR District

...Respondent

The address for service of all notices and process on the above-named Petitioner is that of his counsel **D V Sasidhar(10944)**, H.NO.71-4-6. ADJ.Bhaskar studio, Patamata Lanka, Vijayawada, NTR District, Andhra Pradesh- 520010.

It is therefore prayed, that this Hon'ble Court may be pleased to punish the respondent under Sections 10 to 12 of The Contempt of Courts Act, 1971 for willful violation and disobedience of the interim orders of this Hon'ble Court passed in W.P No. 12782 of 2025 dated 09.05.2025 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

GUNTUR

13.08.2025

DV Sasidhar

COUNSEL FOR THE PETITIONER.

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IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

C.C No. of 2025

in

W.P. No. 12782 of 2025

Between:

Dasari Koteswara Rao, S/o. Pullaiah,
Aged about 40 years, Occ: Junior Assistant (Currently out of service)
R/o. Mamidipalem, Ongole, Prakasam District

...Petitioner

AND

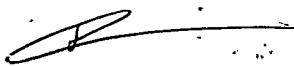
K.Ramachandra Mohan,
The Commissioner,
Endowments Department, AP.
Gollapudi, Vijayawada, NTR District

...Respondent

AFFIDAVIT FILED BY THE PETITIONER

I, Dasari Koteswara Rao, S/o. Pullaiah, aged about 40 years, Occ: Junior Assistant (Currently out of service) R/o. Mamidipalem, Ongole, Prakasam District, having temporarily come down to Vijayawada, do hereby solemnly affirm and sincerely state on oath as follows

1. I submit that, I am the petitioner and deponent herein and as such I am well acquainted with the facts of the case.
2. I submit that, I have filed W.P. No. 12782 of 2025 challenging the action of the respondents more particularly 4th respondent in withdrawing the services of the petitioner as Junior Assistant and in not reinstating the petitioner into services as bad, illegal, arbitrary and violative of Articles 14, 16 and 21 of Constitution of India and violative of principles of natural justice.
3. I submit that, at the time of admission this Hon'ble Court was pleased to grant interim orders on 09.05.2025, observing as follows:



- D. Koteswara Rao

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"Therefore, 2nd respondent is directed to consider and pass appropriate orders on petitioner's representation dated 21.04.2025, in accordance with law, within a period of four (04) weeks from the date of receipt of a copy of this order".

4. I submit that, thereafter I have submitted a representation on 12.06.2025 by enclosing a web copy of the order dated 09.05.2025 of this Hon'ble court and requested the respondent authorities to comply the orders of this Hon'ble Court. However, till date the respondent has not complied with the orders of this Hon'ble Court and I am running after office of the respondent from pillar to post but nothing is forthcoming even after lapse of this much long time, as such the present contempt case filed.
5. I submit that, the action of the respondent is not only arbitrary but amounts to clear violation of the orders of this Hon'ble Court. The respondent, despite being aware of the directions, have deliberately chosen to contravene the same. This act of the respondent clearly establishes that he is willfully flouting the orders of this Hon'ble Court. Hence the present contempt case.
6. I submit that the respondent does not have any respect towards the orders of this Hon'ble Court and he is willfully and wantonly violating the orders, as such he is liable for punishment under the Contempt of Courts Act.

It is therefore prayed, that this Hon'ble Court may be pleased to punish the respondent under Sections 10 to 12 of The Contempt of Courts Act, 1971 for willful violation and disobedience of the interim orders of this Hon'ble Court passed in W.P No. 12782 of 2025 dated 09.05.2025 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.



/ D. Kotgawar

(4)

Solemnly affirmed and signed
on this the 13 day of August 2025,
at Vijayawada.

/ D. Koteswara Rao

DEPONENT

ADVOCATE: VIJAYAWADA

K. K. K. K.

VERIFICATION

I, Dasari Koteswara Rao, S/o. Pullaiah, aged about 40 years.
Occ: Junior Assistant (Currently out of service) R/o. Mamidipalem.
Ongole, Prakasam District, having temporarily come down to
Vijayawada, do hereby verify and state that the contents of the
affidavit filed are true to my personal knowledge, based on
information, record, and believed to be correct on legal advice.
Verified on this the day of August, 2025, at Vijayawada.

/ D. Koteswara Rao

ADVOCATE

/ D. Koteswara Rao

DEPONENT

PRAKASAM DISTRICT

IN THE HIGH COURT OF ANDHRA
PRADESH AT AMARAVATHI

C.C No. of 2025

in

W.P. No. 12782 of 2025

CONTEMPT CASE

Filed On :

Presented On :

Filed By:

D.V.SASIDHAR (10944)
Counsel for the Petitioner

⑤



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

FRIDAY, THE NINTH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN

WRIT PETITION NO.:12782 OF 2025

Between:

Dasari Koteswara Rao, S/o. Pullaiah, Aged about 40 years, Occ Junior Assistant (Currently out of service) R/o. Mamidipalem, Ongole, Prakasam District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue (Endowments) Department, Secretariat, Velgapudi, Amaravathi, Guntur District.
2. The Commissioner, Endowments Department, Gollapudi, Vijayawada, Krishna District.
3. The Assistant Commissioner, Endowments Department, Ongole, Prakasam District.
4. Bhimalingeswara Brahmeswara Swamivarla Devasthanam, Ravipadu village, Cumbum Mandal, Prakasam District Rep. by its Executive Officer.

...Respondents

Petition under Article 226 of the Constitution of India is filed 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 respondents more particularly 4th respondent orally in withdrawing the services of the petitioner as Junior Assistant and in not reinstating the petitioner into services as bad, illegal, arbitrary and violative of Articles 14, 16

(6)

and 21 of Constitution of India and violative of principles of natural justice and consequentially direct the 4th respondent to forthwith reinstate the petitioner into services and to grant all consequential service and monetary benefits.

IA NO: 1 OF 2025

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 4th respondent to reinstate the petitioner into services, Pending disposal of WP 12782 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI D V SASIDHAR Advocate for the Petitioner, and of Government Pleader for Services-I for respondent Nos.1 to 3, and of Smt A.Devi Subhasini, Standing Counsel for respondent No.4, and the Court made the following

ORDER:

"Learned Government Pleader for Services-I takes notice for respondent Nos.1 to 3.

Smt A.Devi Subhasini, learned Standing Counsel takes notice for respondent No.4.

Petitioner has been removed from service on account of he being involved in a criminal case and as the said criminal case vide C.C.No.246 of 2017 on the file of learned Additional Judicial Magistrate of First Class, Giddalur, ended in acquittal, petitioner made representation dated 21.04.2025 seeking for reinstatement into service.

Therefore, 2nd respondent is directed to consider and pass appropriate orders on petitioner's representation dated 21.04.2025, in accordance with law, within a period of four (04) weeks from the date of receipt of a copy of this order.

(7)

Let counter-affidavit be filed within four (04) weeks and reply, if any, in two (02) weeks thereafter.

List the matter after eight (08) weeks."

SD/- G.HELANAIDU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

Fo

To,

1. The Principal Secretary, Revenue (Endowments) Department, State of Andhra Pradesh, Secretariat, Velgapudi, Amaravathi, Guntur District.
2. The Commissioner, Endowments Department, Gollapudi, Vijayawada, Krishna District.
3. The Assistant Commissioner, Endowments Department, Ongole, Prakasam District.
4. The Executive Officer, Bhimalingeswara Brahmeswara Swamivarla Devasthanam, Ravipadu village, Cumbum Mandal, Prakasam District.
(Addresses 1 to 4 by RPAD)
5. One CC to SRI. D V. SASIDHAR, Advocate [OPUC]
6. Two CCs to Government Pleader for Services-I, High Court of Andhra Pradesh. [OUT]
7. One CC to Smt. A.Devi Subhasini, Standing Counsel, High Court of Andhra Pradesh [OPUC]
8. One spare copy

KN

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HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
MAIN CASE No.: W.P.No.12782 of 2025
PROCEEDING SHEET



Sl. No	DATE	ORDER	OFFICE NOTE
1	09.05.2025	<p><u>CGR,J</u></p> <p>Learned Government Pleader for Services-I takes notice for respondent Nos.1 to 3.</p> <p>Smt A.Devi Subhasini, learned Standing Counsel takes notice for respondent No.4.</p> <p>Petitioner has been removed from service on account of he being involved in a criminal case and as the said criminal case <i>vide</i> C.C.No.246 of 2017 on the file of learned Additional Judicial Magistrate of First Class, Giddalur, ended in acquittal, petitioner made representation dated 21.04.2025 seeking for reinstatement into service.</p> <p>Therefore, 2nd respondent is directed to consider and pass appropriate orders on petitioner's representation dated 21.04.2025, in accordance with law, within a period of four (04) weeks from the date of receipt of a copy of this order.</p> <p>Let counter-affidavit be filed within four (04) weeks and reply, if any, in two (02) weeks thereafter.</p> <p>List the matter after eight (08) weeks.</p> <p style="text-align: right;">CGR,J</p> <p>KBN</p>	

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MEMORANDUM OF WRIT PETITION
(UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA)

IN THE HIGH COURT OF ANDHRA PRADESH AT : AMARAVATHI.

W.P.No. 12782 of 2025

Between:

Dasari Koteswara Rao, S/o. Pullaiah,
Aged about 40 years, Occ: Junior Assistant (Currently out of service)
R/o. Mamidipalem, Ongole, Prakasam District

...Petitioner

AND

1. The State of Andhra Pradesh
Rep. by its Principal Secretary,
Revenue (Endowments) Department,
Secretariat, Velgapudi, Amaravathi,
Guntur District.
2. The Commissioner,
Endowments Department,
Gollapudi, Vijayawada,
Krishna District.
3. The Assistant Commissioner,
Endowments Department,
Ongole, Prakasam District
4. BhimalingeswaraBrahmeswaraSwamivarla Devasthanam,
Ravipadu village, Cumbum Mandal,
Prakasam District
Rep. by its Executive Officer

...Respondents

The address for service of all notices and process on the above-named Petitioner is that of his Counsel **D.V.SASIDHAR (10944), M.V.S.NIKHIL KASHYAP, M.RAGHU NANDAN, ADVOCATES 71-4-6, Patamata, Vijayawada.**

(10)

For the reasons stated in the accompanying affidavit filed in the support of the above writ petition, It is therefore prayed that this Hon'ble 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 respondents more particularly 4th respondent orally in withdrawing the services of the petitioner as Junior Assistant and in not reinstating the petitioner into services as bad, illegal, arbitrary and violative of Articles 14, 16 and 21 of Constitution of India and violative of principles of natural justice and consequentially direct the 4th respondent to forthwith reinstate the petitioner into services and to grant all consequential service and monetary benefits and to pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case, in the interests of Justice.

AMARAVATHI
Date: 30.04.2025


COUNSEL FOR THE PETITIONER

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(11)

DISTRICT :: PRAKASAM

IN THE HIGH COURT OF
ANDHRA PRADESH AT
AMARAVATI

W.P. No. 12782 of 2025

WRIT PETITION

Filed on:

FILED BY:

D.V.SASIDHAR (10944)
M.V.S.NIKHIL KASHYAP
M.RAGHU NANDAN
Advocates
COUNSEL FOR PETITIONERS

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IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P. No. 12782 of 2025

Between:

Dasari Koteswara Rao, S/o. Pullaiah,
Aged about 40 years, Occ: Junior Assistant (Currently out of service)
R/o. Mamidipalem. Ongole, Prakasam District

...Petitioner

AND

1. The State of Andhra Pradesh
Rep. by its Principal Secretary,
Revenue (Endowments) Department,
Secretariat, Velgapudi, Amaravathi,
Guntur District.
2. The Commissioner,
Endowments Department,
Gollapudi, Vijayawada,
Krishna District.
3. The Assistant Commissioner,
Endowments Department,
Ongole, Prakasam District
4. BhimalingeswaraBrāhmeswaraSwamivarla Devasthanam,
Ravipadu village, Cumbum Mandal,
Prakasam District
Rep. by its Executive Officer

...Respondents

AFFIDAVIT

I, DasariKoteswara Rao, S/o. Pullaiah, aged about 40 years, Occ: Junior Assistant (Currently out of service) R/o. Mamidipalem, Ongole, Prakasam District, having temporarily come down to Vijayawada, do hereby solemnly affirm and sincerely state on oath as follows:

01. I submit that, I am thepetitioner herein and the deponent in the present writ petition, as such I am well acquainted with the facts of the case.

02. It is submitted that the present writ petition is filed challenging the action of the respondents more particularly 4th respondent in withdrawing the services of the petitioner as Junior Assistant and in not reinstating the petitioner into services as bad, illegal, arbitrary and violative of Articles 14, 16 and 21 of Constitution of India and violative of principles of natural justice.
03. I submit that, earlier I was appointed as Junior Assistant in BhimalingeswaraBrahmeswaraSwamivarla Devasthanam, Ravipadu village, Cumbum Mandal, Prakasam District on 01.08.2004 on consolidated basis @ Rs.500/- per month, thereafter the same was enhanced to Rs.800/- by the Assistant Commissioner, Endowments Department, Ongole on 21.02.2005. Thereafter regular time scale was extended to me on 20.02.2008 as per the orders of the then Assistant Commissioner, Endowments Department, Ongole, since then I worked with utmost satisfaction.
04. I submit that, while the matter stood thus on 18.12.2013 a report was given against me by the then Assistant Commissioner, Endowments Department, Ongole complaining that, I have forged the appointment order, regularization order etc. Thereafter a false case foisted against me and the case was numbered as CC No. 246/2017 on the file of Addl. Judicial First-Class Magistrate, Giddalur.
05. I submit that, thereafter in the year 2015 my services were orally stopped on the ground of pending criminal case. After 10 long years of detailed trial the criminal case was resulted in acquittal on 05.10.2023 and I am not found guilty, as such it is crystal clear that a false case is foisted against me and I have kept away from services.
06. I submit that, after acquittal in the above case, I have approached the Executive Officer and Assistant commissioner, Endowments

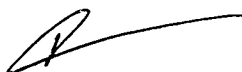


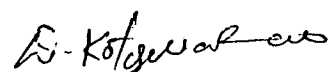
(14)

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Department, Ongole, several times along with the acquittal order and requested orally to continue my service but the same went in vain. The Executive Officer and the then Assistant commissioner Endowments Department, Ongole used to send me back informing that the orders of higher authorities are awaited.

07. I submit that, having run from pillar to post for the past one and half years, I came to know that, my case is not being recommended for reinstatement in the 4th respondent temple and no such file is there.
08. I submit that, once I am declared as not guilty of forging the appointment and regularization orders, I am entitled to be continued in service however the same is not being done by the respondent authorities in the instant case and I was made run from pillar to post from the past one and half year, having vexed with the attitude of the respondent authorities I am filing the present writ petition now.
09. I submit that, the persons involved in the above said false case are reinstated and leading their lives happily, but to coming to my case discrimination is shown and I was not reinstated even though there is no mistake from my end. It is not out of place to mention that I was made a scapegoat in the entire subject issue.
10. I submit that, thereafter explaining all the facts and circumstances in detailed manner I have submitted a representation to the 2nd respondent on 21.04.2025 requesting him to take appropriate action in the matter, but the same is pending as on today.
11. I submit that, as per rule 4 of G.O.Ms No. 330 i.e., Office holder and Servants Punishment Rules, procedure enshrined under Rule 19 of Civil Services C.C.A rules has to be followed, in the instant case it is crystal clear that the respondents have bypassed the above rule and passed the impugned order in a mechanical manner. I was not even



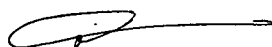


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allowed to go through the evidence based upon which the 3rd respondent has passed the impugned order.

12. I submit that, recently the Hon'ble Apex court in the case of Satyendra Singh V. State of U.P (SLP Civil No. 29758/2018) has held that "Inquiry proceedings conducted against the appellant pertaining to charges punishable with major penalty, were totally vitiated and non-existent in the eyes of law since no oral evidence whatsoever was recorded by the department in support of the charges."
13. I submit that, the above decision squarely applies to my case as no oral evidence whatsoever is recorded, as such the suspension order is liable to be set aside in limine.
14. I submit that, unless this Hon'ble court directs the respondents to reinstate me into services, I will be put to irreparable loss and injury and the same cannot be compensated by any means as the said job is the only source to eke my livelihood. Hence the present writ petition is filed.
15. It is humbly submitted that the petitioner has no other alternative and efficacious remedy except to approach this Hon'ble Court under Article 226 of constitution of India.
16. It is submitted that the petitioner has not filed any suit, application or petitions before any court of law and I have not sought for any similar relief.

In the above mentioned circumstances, it is therefore prayed that this Hon'ble 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 respondents more particularly 4th respondent orally in withdrawing the services of the petitioner as Junior Assistant and in not reinstating the petitioner into services as



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bad, illegal, arbitrary and violative of Articles 14, 16 and 21 of Constitution of India and violative of principles of natural justice and consequentially direct the 4th respondent to forthwith reinstate the petitioner into services and to grant all consequential service and monetary benefits and to pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case, in the interests of Justice.

Pending disposal of the writ petition, it is therefore prayed that this Hon'ble Court may be pleased to direct the 4th respondent to reinstate the petitioner into services and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case, in the interest of the justice.

Solemnly affirmed and signed
before me on this the day of
April, 2025 at Vijayawada.

D. Koteswara Rao

DEPONENT

ADVOCATE: VIJAYAWADA

(Koularyo)
VERIFICATION

I, Dasari Koteswara Rao, S/o. Pullaiah, aged about 40 years, Occ: Junior Assistant (Currently out of service) R/o. Mamidipalem, Ongole, Prakasam District, having temporarily come down to Vijayawada, having temporarily come down to Vijayawada, do hereby declare that the contents in the above paragraphs are true and correct to the best of my knowledge and belief, hence verified on this the day of April, 2025 at Amaravathi.

Dasari
Advocate

D. Koteswara Rao

Deponent

(17)

ENO - 10653548 Date 12/6/25

To,

The Commissioner,
Endowments Department,
Gollapudi, Vijayawada, NTR District.

The Executive Officer,
Ehimalingeswara Brahmeswara Swamivarla Devasthanam
Ravipadu village Cumbum Mandal
Prakasam District

Respected Sir,

I, D Koteswarao, Junior Assistant (under termination) in Bhimalingeswara Brahmeswara Swamivarla Devasthanam Ravipadu village Cumbum Mandal Prakasam District, do hereby submit the following representation:

I submit that, I was removed from services basing on criminal case CC.243 of 2017. Thereafter the CC resulted in acquittal, (Copy enclosed) thereafter I have submitted representation on 21.04.2025 to reinstate me in to service, as no action is taken, I have filed W.P.No.12782 of 2025. In Writ petition interim orders are granted on 09.05.2025 to consider my representation and pass orders, (Order copy enclosed)

Hence in the above mentioned circumstances, I request your good selves to kindly comply the interim orders dated 09-05-2025 of the Hon'ble High Court passed in W.P.No.12782 of 2025 and rejoin me into services by considering my representation dated 21.04.2025 [E.No.10368964]

Date : 12-06-2025
Place : Vijayawada

Yours Faithfully,

D. Koteswar Rao

D.Koteswar Rao

(18)

To,
The Commissioner,
Endowments Department,
Gollapudi, Vijayawada, NTR District.

Respected Sir,

I, Dasari Koteswara Rao, S/o. Pullaiah, age 40 years, R/o. Mamidipalem, Ongole, Prakasam District do hereby submit the following representation:

1. I submit that, earlier I was appointed as Junior Assistant in Bhimalingeswara Brahmeswara Swamivarla Devasthanam, Ravipadu village, Cumbum Mandal, Prakasam District on 01.08.2004 on consolidated basis @ Rs.500/- per month, thereafter the same was enhanced to Rs.800/- by the Assistant Commissioner, Endowments Department, Ongole on 21.02.2005. Thereafter regular time scale was extended to me on 20.02.2008 as per the orders of the then Assistant Commissioner, Endowments Department, Ongole, since then I am working with utmost satisfaction.
2. I submit that, while the matter stood thus on 18.12.2013 a report was given against me by the then Assistant Commissioner, Endowments Department, Ongole complaining that I have forged the appointment order, regularization order etc. The report was numbered as CC No. 246/2017 on the file of Addl. Judicial First Class Magistrate, Giddalur.
3. I submit that, thereafter in the year 2015 my services were stopped on the ground of pending criminal case. After 10 long years the criminal case was resulted in acquitted as I am not found guilty on 05.10.2023.
4. I submit that, after acquittal in the above case I have approached the Executive Officer and Assistant commissioner, Endowments Department, Ongole, several times along with the acquittal order

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(19)

and requested to continue my service. The Executive Officer and the then Assistant commissioner, Endowments Department, Ongole sent me informing that the orders of higher authorities awaited.

5. I submit that, having run pillar to post for 1.5 year, I came to know that, my case was not recommended for reinstatement to your good office and no such file is there. Hence the present representation is submitted to your good office.
6. I submit that, once I am declared as not guilty of forging the appointment and regularization orders I have to be continued in service in as is where is condition. Even after 1.5 years I am not reinstated because of which I am put to severe hardship.

Hence in the above mentioned circumstances, I request your good authority to kindly direct the Assistant commissioner, Endowments Department, Ongole as well as the Executive Officer of the Bhimalingeswara Brahmeswara Swamivarla Devasthanam, Ravipadu village, Cumbum Mandal, Prakasam District to immediately reinstate me into service and continue my services for which act of kindness I will be ever grateful.

Place : Amaravathi
Date : 04.2025

Yours Faithfully,
D. Koteswara Rao
Dasari Koteswara Rao

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DISTRICT :: PRAKASAM

HIGH COURT OF ANDHRA PRADESH

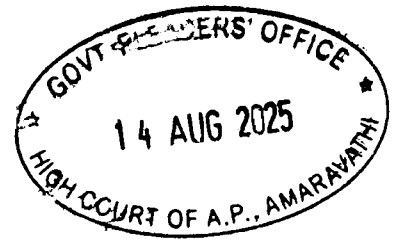
C.C.No. OF 2025

IN

W.P. No. 12782 of 2025

*See in
C.C. No. 12782
Endow*

**MEMORANDUM OF CONTEMPT
CASE**



FILED BY:

SRI D.V.SASIDHAR(10944)

SRI M.V.S. NIKHIL KASHYAP

SRI M.RAGHU NANDAN

COUNSEL FOR THE PETITIONER

7106892381

Acknowledgement No.:



REV070257732

APOLCM3

Thursday, Aug 14, 2025 14:33:43 PM