

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P. No. of 2025

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Place :Amaravati,
Date:30.04.2025


COUNSEL FOR PETITIONER

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

IN THE HIGH COURT OF ANDHRA PRADESH AT : AMARAVATHI.

W.P.No. of 2025

Between:

Dasari Kotāswara 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.**

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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DISTRICT :: PRAKASAM

IN THE HIGH COURT OF
ANDHRA PRADESH AT
AMARAVATI

W.P. No. 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 AMARAVATI

W.P. No. of 2025

CHRONOLOGICAL EVENTS

ANNEXURE – I

Sl. No.	Date	Description of Document	Page No	Para No
1	NIL	the present writ petition is filed challenging the action of the respondents more particularly 4 th 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.		2
2	01.08.2004 21.02.2005 20.02.2008	The petitioner 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 worked with utmost satisfaction.		3
3	18.12.2013	The petitioner 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		4

		case was numbered as CC No. 246/2017 on the file of Addl. Judicial First-Class Magistrate, Giddalur.		
4	05.10.2023	The petitioner 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.		5
5	NIL	The petitioner 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 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.		6
6	NIL	The petitioner 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 4 th respondent temple and no such file is there.		7
7	NIL	The petitioner 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.		8
8	NIL	The petitioner 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.		9

9	21.04.2025	The petitioner submit that, thereafter explaining all the facts and circumstances in detailed manner I have submitted a representation to the 2 nd respondent on 21.04.2025 requesting him to take appropriate action in the matter, but the same is pending as on today.		10
10	NIL	The petitioner submit that, as per rule 4 of G.O.Ms No. 830 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 allowed to go through the evidence based upon which the 3 rd respondent has passed the impugned order.		11
11	NIL	The petitioner 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-est in the eyes of law since no oral evidence whatsoever was recorded by the department in support of the charges."		12
12	NIL	The petitioner 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 limini.		13
13	NIL	The petitioner submit that, unless his 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.		14

ANNEXURE – II

1) Article 226 of The Constitution of India.

Amaravathi

Dt. 30.04.2025



COUNSEL FOR THE PETITIONER

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IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

W.P. No. 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

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, Giddaluru.
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

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. 830 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

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.

DEPONENT

ADVOCATE::VIJAYAWADA

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.


Advocate

Deponent

13-P1

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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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 : 21.04.2025

Yours Faithfully,
D. Koteswara Rao
Dasari Koteswara Rao

DTDC Express Limited Regd. Office: No-3, Victoria Road Dcngalur - 560047		ORIGIN	DEST.
Non Negotiable Consignment Note / Subject to Bengaluru Jurisdiction.		POLICE NO.	DATE
Sender's (Consignor) Name: <u>Noteswara</u>		Recipient's (Consignee) Name: <u>Common</u>	
Company Name & Address: <u>Noteswara</u>		Company Name & Address: <u>Shreevasth Dept</u>	
City: <u>Noteswara</u> State: <u>Noteswara</u> PIN Code: <u>Noteswara</u>		City: <u>Noteswara</u> State: <u>Noteswara</u> PIN Code: <u>Noteswara</u>	
Sender's GSTIN*: <u>Noteswara</u>		Recipient's GSTIN*: <u>Noteswara</u>	
3 Nature of consignment <input checked="" type="checkbox"/> Dox <input type="checkbox"/> Non-Dox <input type="checkbox"/> Total Num Pcs: <u>Noteswara</u>		4 Description of Consignment: <u>Noteswara</u>	
DIM 1: L <u>Noteswara</u> cm X B <u>Noteswara</u> cm X H <u>Noteswara</u> cm X <u>Noteswara</u> Pcs Actual Wt.: <u>Noteswara</u> kg		Total Value of consignment for carriage / E-Way bill: <u>Noteswara</u>	
DIM 2: L <u>Noteswara</u> cm X B <u>Noteswara</u> cm X H <u>Noteswara</u> cm X <u>Noteswara</u> Pcs Volumetric Wt.: <u>Noteswara</u> kg		6 Type of consignment <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Non Commercial <input type="checkbox"/> 7 Value Added Services <input type="checkbox"/> Not Available	
DIM 3: L <u>Noteswara</u> cm X B <u>Noteswara</u> cm X H <u>Noteswara</u> cm X <u>Noteswara</u> Pcs Chargeable Wt.: <u>Noteswara</u> kg		CN Expiry Date: <u>Noteswara</u>	
5 Paper Work Enclosures		3 Mode <input checked="" type="checkbox"/> Surface <input type="checkbox"/> Air Cargo <input type="checkbox"/> Express <input type="checkbox"/>	
10 I/We declare that this consignment does not contain personal mail, cash, jewellery, contraband, illegal drugs, any prohibited items and commodities which can cause safety hazards while transporting		9 Charges Amount(₹) a) Tariff (incl. Of FSC + Taxes) <u>Noteswara</u> b) Risk Surcharge <u>Noteswara</u> c) Total amount (a+b) <u>Noteswara</u> Above charges are inclusive of GST & other taxes if applicable Mode of Payment: Cash <input type="checkbox"/> Card <input type="checkbox"/> Wallet <input type="checkbox"/>	
Sender's Signature & Seal Date: <u>Noteswara</u> Time: <u>Noteswara</u> AM/PM I have read and understood terms & conditions printed overleaf of this consignment note and I agree to the same.		11 Booking Branch / Franchisee Code: <u>Noteswara</u>	
Courier Signature: <u>Noteswara</u>		12 Risk Surcharge Owner: <u>Noteswara</u> Carrier: <u>Noteswara</u>	
Consignment Number: <u>Noteswara</u>		H52538235	
http://www.dtdc.in customersupport@dtcd.com +91 9606 911 811		SENDER COPY Jan 2024	

16-P2

CC.No.246/2017

1

Dt.05-10-2023

Calendar and Judgment in C.C.No. 246 of 2017 on the file of the Additional Judicial Magistrate of First Class, Giddalur

- 1 Date of Offence : Prior to 18-12-2013
- 2 Date of Report : 18-12-2013
- 3 Date of arrest of A1 to A3 : A1 and A3 on 17-07-2014, A2 surrendered before this Hon'ble court and got bail on 10-09-2014 vide CrImp.No.5686/14 of AJFCM court, Giddalur.
- 4 Date of release of A1 to A3 : A1 and A3 on 25-07-2014
- 5 Date of commencement of trial : 12-04-2023
- 6 Date of close of trial : 26-06-2023
- 7 Date of Judgment : 05-10-2023
- 8 Complainant : State: The Sub-Inspector of Police, Cumbum Police Station.
- 9 Accused/A1 to A3 :

- i. Galle Syam Sundar, S/o. Mohan Rao, aged about 45 years, former inspector, Endowments department, Markapuram, who is presently residing at D.No.1-14-16, 23rd ward, Old Ponnuru, Ponnuru (T&M), Guntur District, Pin code-522124. **(A1)**
- ii. Dasari Koteswara Rao, S/o. Pullaiah, aged about 30 years, R/o. Cumbum village and mandal, at present resident of D.No.1-3-35/1, Viswas Nagar, 3rd lane, Mamidipalem, Ongole town, Prakasam District. **(A2)**
- iii. Nagasani Peddanna, S/o. Venkata Subbaiah, aged about 82 years, Ex-Trustee, Bhimeswara Brahmeswara Swamy temple, Ravipadu village, Cumbum mandal. **(A3)**

Case against A3 is abated.

10. Offence : **u/sec. 468, 471, 477 A, 420 r/w 34 of IPC.**
11. Plea of accused : Pleded not guilty.
12. Finding of Court : Found not guilty.
13. Sentence or Order :

In the result, A1 and A2 are **found not guilty** for the offence under Sections 468, 471, 477 A, 420 r/w 34 of IPC for the same they are acquitted under Section 248 (1) of Cr.P.C. Their bail bonds if any, shall stands cancelled after the appeal time is over. No property seized; no order is passed with regard to the same.

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CC.No.246/2017

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Dt.05-10-2023

Explanation for delay: - This case was taken on file on 28-07-2017 for the offence punishable u/Sec. **468, 471, 477 A, 420 r/w 34 of IPC**, against A1 to A3. After appearance of A1 to A3 on 30-10-2017, copies of all the documents were furnished to them u/Sec. 207 of Cr.P.C. Case against A3 is abated. On 09-12-2022, A1 and A2 were examined u/Sec. 239 of Cr.P.C. On behalf of prosecution, PWs.1 to PW8 were examined, got marked Exs P1 to P13. On closure of prosecution evidence, on 04-07-2023 A1 and A2 were examined u/Sec.313 of Cr.P.C., On behalf of defense side evidence is closed. On 12-09-2023 heard arguments. On 05-10-2023 Judgment Pronounced. Hence the delay.

**Sd/-Smt B.Mary Sara Danamma,
ADDL. JUDL. MAGISTRATE OF FIRST CLASS,
GIDDALUR.**

Copy submitted to:
The Hon'ble I Addl. District & Sessions Judge, Ongole.

IN THE COURT OF THE ADDITIONAL JUDICIAL MAGISTRATE OF FIRST CLASS :
GIDDALUR

Present: Smt. B.Mary Sara Daramma,
Addl. Judl. Magistrate of First Class, Giddalur,
Thursday, this the Fifth (05th) day of October, 2023.
Calendar Case 246 of 2017

Between:

The State,
Represented through Sub-Inspector of Police,
Cumbum Police Station.

..... **Complainant**

And

1. Galle Syam Sundar, S/o. Mohan Rao, aged about 45 years, former inspector, Endowments department, Markapuram, who is presently residing at D.No.1-14-16, 23rd ward, Old Ponnuru, Ponnuru (T&M), Guntur District, Pin code-522124. **(A1)**
2. Dasari Koteswara Rao, S/o. Pullaiah, aged about 30 years, R/o. Cumbum village and mandal, at present resident of D.No.1-3-35/1, Viswas Nagar, 3rd lane, Mamidipalem, Ongole town, Prakasam District. **(A2)**
3. Nagasani Peddanna, S/o. Venkata Subbaiah, aged about 82 years, Ex-Trustee, Bhimeswara Brahmeswara Swamy temple, Ravipadu village, Cumbum mandal. **(A3)**

Case against A3 is abated.

..... **A1 to A3**

This case has come before me on 05-10-2023 for final hearing in the presence of **Assistant Public Prosecutor** for the Prosecution and **Sri P.N.Sesha Sayana Reddy**, advocate for A1 and **Sri B.Issac**, advocate for A2 and the matter having been stood over for consideration till this day, the Court delivered the following:

J U D G M E N T

1. The Sub-Inspector of Police, Cumbum Police Station laid charge sheet against A1 to A3 in Crime No.148 of 2013 for the offence punishable under section 468, 471, 477 A, 420 r/w 34 of Indian Penal Code.

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2. **The brief facts of the prosecution case are as follows:**

The LW1 is the complainant and Assistant endowment commissioner, LW2 is the Senior Assistant in Assistant commissioners office Ongole, LW3 is the priest, LW4 is the sweeper in Bheemeswara Temple in Ravipadu village, LW5 is the manager in endowment department in Markapur. The A1 is inspector of endowments Markapur division, A2 is president of mamidipalem Viswas Nagar Ongole town. A1 is the single managing trustee of Sri Bheemeswara temple, Ravipadu village. The A2 Koteswara rao was appointed as Junior assistant in Bheemeswara temple of Ravipadu village by A1 and A3, he submitted the petition to the commissioner endowment department Hyderabad for request transfer of him to Ongole. The same petition was endorsed to the office of LW1, the LW1 forwarded the same to inspector endowment department Markapur to enquire into the matter and submit a report. Then the A1 did not submit his report to LW1. LW2 verified the office records and found no record in their office belongs to A2 about his appointment as Junior assistant in the said temple. Then LW2 asked the A2 to produce the service particulars, he produced order copies which was said to have issued by the Assistant commissioner endowment department Ongole, relating enhancement of salary from Rs.500/- to Rs.800/- per month and also proceedings of pay fixation and also xerox copy of PRC scale of increments which was issued by A1. On perusal of records LW2 found that his signature was forged on the said order. Then LW1 and LW2 went to Bheemeswara temple, Ravipadu village and got written statement from accused A3 managing trustee of said temple and they verified the account book of said temple found A1 made entries regarding payment of salaries of A2. They found that, in the service book of A2 about pay fixation as well as PRC, increments illegally created by preparing forged orders and issued the same to A2 for his appointment. A1 to A3 with the collusion and created forged

documents regarding appointment of A2 as junior assistant in the said temple. Then LW1 gave report to the police and the same was registered by ASI LW9 in Cr.No. 148/2013 U/sec. 468, 471, 477 A, 420 of IPC. During course of investigation the investigating officer examined the witnesses and recorded their statements, and seized one account book of Bheemeswara temple of ravipadu, and also stamped salary vouchers 7 of A2 under cover of police proceedings. The SI LW10 on 17-07-2014 he arrested A1 and A3 and sent them for remand to judicial custody. On 01-09-2014 A2 surrender before the Hon'ble court later got bail. LW11 SI received original service register of A2 of his appointment and seized the same and sent the same to FSL Hyderabad. After receipt of FSL report and after completion of investigation LW12 filed charge sheet against all accused.

3. The case has been taken on file for the offence punishable u/Sec. 468, 471, 477 A, 420 r/w 34 of IPC against the A1 to A3.

4. On appearance of A1 to A3, the copies of the documents were required U/Sec. 207, Cr.P.C were furnished to them.

5. A1 and A2 were examined U/sec. 239 Cr.P.C. charges were framed for the offence punishable U/sec. 468, 471, 477 A, 420 r/w 34 of I.P.C against them, its contents were explained to them in Telugu language for which they denied, pleaded not guilty and claimed to be tried.

6. On behalf of the prosecution, PWs. 1 to 8 have been examined and Ex.P1 to Ex.P13 are marked.

7. After closure of the prosecution side evidence, A1 and A2 were examined u/sec. 313, Cr.P.C and the incriminating material spelt out by the prosecution witnesses was put to them, they denied the same and reported no defence evidence on their behalf.

8. Heard the arguments on both sides.

9. **Now the point for consideration is :**

"Whether the prosecution has been able to bring home the guilt against the accused for the offence punishable under Sections 468, 471, 477 A, 420 r/w 34 of Indian Penal Code ?"

POINT:

10. **PW1 K. Basaveswara Srinivasa Rao, Executive Officer, Endowments Dept,** deposed that, there was Bheemeswara Brahmeswara Temple of Ravipadu Village, Cumbum Mandal. The A1 Inspector of the then Endowment Department of above said temple, Ravipadu village, who also served as single trustee of A1. Up to 2010 the A3 Peddanna worked as a trustee of said temple. The A1 created fake documents and appointed A2 Koteswara Rao as Junior Assistant of above said temple. They noticed 2 files, one file relating to appointment order of A2 and 2nd file relating to pay enhancement file. Then after A2 Koteswara Rao made an application before Higher authorities of Hyderabad in the year 2013 for his transfer to Ongole. The officers of Commissioner's office, Ongole directed him to enquire the matter. On enquiry thereafter he asked the A3 Peddanna, he stated him that A1 obtained the signatures of A3 forcibly on some papers and also SR of A2 Koteswara Rao. And he sent report of the same to the Commissioner, Endowment Department, Hyderabad. On the directions of Commissioner, Hyderabad, the Deputy Commissioner of Guntur also enquired the same and he also submitted a report. The Commissioner, Endowment Department, Hyderabad gave directions to Deputy Commissioner, Guntur to lodge prosecution case, thereafter the Deputy Commissioner, Guntur gave written orders to him to give report against the accused. Then he gave report to the police EX.P1. Along with Ex.P1 he produced fake orders proceedings of A2 and service register of A2 before police. They noticed one lease file regarding public auction in their office and another file relating to appropriation of funds regarding salaries of one clerk of Parchur i.e., as per their office persons register book in the place of fake orders proceedings initiated by the accused. Police examined him. EX.P2 is xerox copy of office copy fake approval of salary

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enhancement vide Dis.No.B2/2412/2005. EX.P3 is office copy of xerox copy of fake approval of salary enhancement vide Dis.No.B2/2846/2008 (the learned counsel for defense raised objection while marking of Exbts.P2, P3 with subject to objection). EX.P4 is attested copy of personal register of office maintained by A.C., Endowment, Ongole regarding relevant current No.2412. EX.P5 is attested copy of personal register of office maintained by A.C., Endowment, Ongole regarding relevant current No.2846. EX.P6 is original Service Register belongs to A2.

11. **PW2 B. Ramesh Naik**, Senior Assistant, Endowments Dept, deposed that, In the year 2012 on one day he also accompanied along with PW1 for enquiry of Bheemeswara Brahmeswara Temple of Ravipadu Village, regarding forged documents created by A2. On enquiry of A3 Peddanna, A3 stated that he did not appoint the A3 and he did not provide salary every month, and the same was recorded by PW1. And A3 also stated that A1 obtained his signatures on Service Register of A2. He was not examined by police. The A2 submitted a letter to Head Office, Endowment Department, Hyderabad for his transfer to Ongole. On the same he accompanied along with PW1 for enquiry. He noticed that one document created regarding rent payment of office, Parchur Group temples. As per their office records fake salary enhancement i.e., Ex.P2, P3 originally Ex.P4, P5 as per their office records.

12. **PW3 T. Lakshmi Narasaiah**, Purohith, deposed that, he do not know anything about the case facts and he was not examined by the police and turned hostile and not supported with the version of prosecution.

13. **PW4 V. Venkata Subba Rao**, deposed that, he do not know anything about case facts. He was present by the time of arrest of A1, A3. At the request of police he put his signature on some written paper. EX.P8 is his signature on arrest mahazarnama of A1, A3. He is in the habit of put his signatures on any paper after reading of the same and turned hostile and not supported with the version of prosecution.

14. **PW5 Maddukuri Kotaiah**, deposed that, at about 9 years back on one day the police arrested A1, A3 at about morning time. He do not remember at which place

they were arrested as 9 years passed away. Police enquired them in his presence and arrested them under cover of arrest mahazarnama of A1, A3. EX.P9 is arrest mahazarnama.

15. **PW6 A. Raja Naik**, Asst. Director, deposed that, he has received documents as per letter along with some documents received from the Hon'ble Court, on the directions of their higher officials and registered the same as DOC.9/2017 on 05-01-2017 and the same was allotted to him for examination of question and standard documents and specified documents.

- 1) 6 vouchers containing the questioned signatures and writings marked by him as Q1 to Q6, Q20 to Q31, Q35 to Q40.
- 2) 1 Service book containing the questioned signatures and writings marked by him as Q7, Q8, Q32, Q33, Q41 to Q44.
- 3) 1 note book containing the questioned writings marked by him as Q9 to Q17.
- 4) 1 voucher containing the questioned signatures and writings marked by him as Q18, Q19 and Q34.
- 5) 1 set of 22 sheets relating to Endowment Department, Markapur containing the standard signatures marked by him as S1 to S4.
- 6) 10 specimen sheets containing the standard signatures and writings marked as S5 to S95.

After careful examination of the above said documents with using magnifiers, stereo microscope and video specter comparator.

He is of the opinion that the person who wrote the red enclosed signatures and writings marked S1 to S21 also wrote the red enclosed signatures and writings marked Q1 to Q17 and the the person who wrote the red enclosed signatures and writings marked S22 to S95 also wrote the red enclosed signatures and writings marked Q18 to Q40, and also it is not possible to offer any opinion on the red enclosed writings marked Q41 to Q44 based on the present standards. He issued report EX.P10. He mentioned his reasons in page No.1 and 2 in the said report Ex.P10.

16. **PW7 K. Madhava Rao, S.I. of Police**, deposed that, he took up further investigation in this case and verified the investigation done by LW9 D. Venkateswarlu ASI, LW10 Hajarathaiah SI, found it on correct lines. He addressed a letter to the Assistant Commissioner, Endowment Department and obtained original Service

Register of A2 about he appointed as Junior Assistant in Bheemeswara and Brahmeswara Temple, Ravipadu village. The said Service Register of A2 EX.P6. He filed requisition before the Hon'ble Court for obtaining specimen signatures of A1 and A2. After collection of specimen signatures of A1 and A2 and along with Service Register of A2 forwarded the same through the Hon'ble Court for FSL with letter of advice. EX.P11 is letter of advice. After completion of investigation and after receipt of FSL report EX.P10 LW12 SI Rama Naik filed charge sheet against all accused.

17. **PW8 Ch. Hazarathaiah**, S.I., AP Tracnsco, deposed that, the ASI LW9 Venkateswarlu died, no more at present. He can identify his signature, writings. On verification of record found that on 18-12-2013 the ASI LW19 registered this case on the basis of report of PW1 in Cr.No.148 of 2013 under Section 468, 471, 477(A), 420 IPC. EX.F12 FIR. And he examined the witnesses and recorded their statements. Further on verification of record found that the ASI LW9 seized one accounts book Bheemeswara temple, Ravipadu village and salary vouchers 7 of A2 with their signatures under cover of police proceedings EX.P13. He took up further investigation in this case and verified the investigation done by LW9 Venkateswarlu ASI, found it on correct lines. He arrested A1 and A3 in the presence of mediators PW4, PW5 on 17-07-2014 under cover of confession and arrest mahazarnama of A1 and A3 Ex.P9. A2 surrendered before the Hon'ble Court on 01-09-2014 and obtained the bail. He filed memo before the Hon'ble Court for obtaining hand writings of A1, A3.

18. As per version of prosecution, with the collusion of A1 to A3, they created fake appointment orders of A2 as junior assistant of Bheemeswara temple and also forged the signatures of LW2 regarding appointment orders of A2, pay fixation proceedings, PRC proceedings and increment proceedings of A2.

19. Admittedly, prior to 2000 the A3 Peddanna worked as Dharma Kartha of Bheemeswara temple and he has got powers to appoint clerk of said temple as any one of person. Further admitted by PW1 the Ex.P6 service register belongs to A2 contained the signatures of A3 for appointment of A2 in his

service register. So, the signatures of A1 and A2 are not appeared in the service register of A2 for appointment of him. As usually in every year the PW1 and his authorities have to inspect the endowment temples.

20. On the other hand, Ex.P2 i.e., xerox copy of fake approval of salary enhancement vide dis.No.B2/2412/2005 contain the signature of Assistant commissioner and the Ex.P2 shows the directions for paying salary to A2. The Ex.P3 is office copy of xerox copy of fake approval of salary enhancement vide dis.No.B2/2846/2008 contain the directions given from office of Assistant commissioner endowment department Ongole for enhancement of PRC arrears and the same was also contain the signatures of Assistant commissioner Ongole.

21. Admittedly, the entire records maintained by the office bearers of Assistant commissioner endowment department Ongole, and Ex.P4 is attested copy of personal register of office maintained by assistant commissioner endowment department Ongole, and Ex.P5 is attested copy of personal register of office maintained assistant commissioner endowment department Ongole, are not belongs to the Markapur endowment department Markapur, and those were custodian of office bearers of PW1.

22. On the other hand, the PW1 failed to produce documentary proof to show that, there is no audit below the income of Rs.1,00,000/- to any one of institute i.e., temples etc., Admittedly the Bheemeswara temple is trustee temple, the trustee has got powers to appoint any one of employee in the said temple. On verification of registers the A3 is no more at present paid Rs.500/- only to A2 per month regularly as admitted by PW1. There is no any application submitted to the head office of Hyderabad endowment department of the transfer of A2 submitted by him, at least they have to produce copy of letter issued by commissioner, endowment department Hyderabad to enquire the matter. The PW1 and PW2 failed to elicit on which

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date they both enquired in the matter and they have not verified the records by the time of enquiry admitted by PW2 and they only handed over the statement of A3 to the police recorded by PW1. Admittedly Ex.P4 and P5 are in the custody of head office Ongole.

23. PW5 who is the mediator categorically admitted that he do not remember on which date and at which place police arrested the A1 and A3 but police prepared arrest mahazarnama Ex.P9. The police did not issue any written notices to them. Further PW5 categorically admitted that, the contents of Ex.P9 mahazarnama did not prepare in the presence of PW5 but thereafter he put his signature on Ex.P9, so, which clearly established that, the police did not prepare the mahazarnama Ex.P9 at the place of arrest. Further PW5 admitted that, as a village elder he used to went to the police station now and then and where the police obtained his signature.

24. After registering the case the PW7 investigating officer obtained original service register of A2 Ex.P6 then, after obtaining specimen signatures of A1 A2 along with service register Ex.P6 forwarded the same to FSL through letter of advice Ex.P11, after receipt of FSL report Ex.P10 LW12 SI Rama naik filed charge sheet against all accused. The investigating officer did not verify the records of Bheemeswara temple, the LW9 ASI seized account book and salary vouchers 7 of A2 with their signatures under cover of police proceedings Ex.P13. PW8 arrested A1 and A3 in the presence of mediators PW4 and PW5 on 17-07-2014 under cover of confession and arrest mahazarnama Ex.P9 and A2 surrendered before the Hon'ble court and got bail. The investigating officer failed to secure any one of government officials who are available in Cumbum to act as mediators by the time of arrest of A1 and A3.

25. Admittedly, the PW6 has compared the standard signatures and writings of A2 i.e., Q18 to Q40, from Q18 to Q33 are signatures of Koteswara

Rao A2, and Q 34 to Q40 are writings of Koteswara Rao A2. But, the PW6 has not examined the standard signatures of writing of A3 Peddanna, whose signature contained in the service register of A2 as well as in account book appeared the signature of A3 only. Further the PW6 did not compare the stamps(seals). On the basis of age factor and gap of the years there may be a chance for variation in signatures and writings.

26. The expert opinion must always be received with great caution, it unsafe to treat the expert opinion as sufficient basis for conviction, but it may be relayed upon when supported by other items of internal and external evidence. The evidence of expert can never be conclusive because it is after all, other material evidence.

27. In view of the above points discussed by this Court, this Court feels unsafe to convict A1 and A2. The chain of circumstances not proved by the prosecution.

28. There is no cogent, consist, considerable material against A1 and A2. Hence, the prosecution has completely failed to establish the guilt of the A1 and A2 beyond all reasonable doubt.

29. **In the result**, A1 and A2 are **found not guilty** for the offence under Sections 468, 471, 477 A, 420 r/w 34 of IPC for the same they are acquitted under Section 248 (1) of Cr.P.C. Their bail bonds if any, shall stands cancelled after the appeal time is over. No property seized; no order is passed with regard to the same.

Typed to my Dictation by the Personal Assistant, corrected and pronounced by me in the open court on this the **05th day of October, 2023**.

**Sd/-Smt B.Mary Sara Danamma,
ADDL. JUDL. MAGISTRATE OF FIRST CLASS,
GIDDALUR.**

APPENDIX OF EVIDENCE
Witness examined for

PROSECUTION

PW1: K.Basaveswara Srinivasa Rao.
 PW2: B.Ramesh Naik.
 PW3: T.Lakshmi Narasaiah.
 PW4: V.Venkata Subba Rao.
 PW5: Maddukuri Kotaiah.
 PW6: A.Raja Naik.
 PW7: K.Madhava Rao, SI of Police.
 PW8: Ch.Hazarathaiah, SI., AP Transco.

DEFENCE

- NIL -

Exhibits marked for

PROSECUTION

Ex.P1: Report of PW1.
 Ex.P2: Xerox copy of office copy of fake approval of salary enhancement vide Dis.No.B2/2412/2005.
 Ex.P3: Office copy of xerox copy of fake approval of salary enhancement vide Dis.No.B2/2846/2008.
 Ex.P4: Attested copy of personal register of office maintained by A.C., Endowment, Ongole regarding relevant current no.2412.
 Ex.P5: Attested copy of personal register of office maintained by A.C., Endowment, Ongole regarding relevant current No.2846.
 Ex.P6: Original Service register belongs to A2.
 Ex.P7: Contents of 161 (3) Cr.P.C statement of PW3.
 Ex.P8: Signature of PW4 on the arrest mahazarnama of A1, A3.
 Ex.P9: Arrest Mahazarnama.
 Ex.P10: FSL Report.
 Ex.P11: Letter of Advice.
 Ex.P12: FIR.
 Ex.P13: Police Proceedings.

DEFENCE

- NIL -

Material Objects Marked for

PROSECUTION

- NIL -

DEFENCE

- NIL -

**Sd/-Smt B.Mary Sara Danamma,
AJFCM, GDLR.**

Copy submitted to:
 The Hon'ble I Addl. District & Sessions Judge, Ongole.

మొదటి ప్రతిపాదన కంపెనీయము.

భాగ్యలక్ష్మి/కమల రివల్యూషన్ 29-12

రాజమహేంద్రవరం ఇంజనీరింగ్ కాలేజీ

ప్రకటన పత్రం.

విషయము :- దాఖలుయిన ప్రకటన పత్రం - 29-12-2004

మంతులు రాజమహేంద్రవరం ఇంజనీరింగ్ కాలేజీ

ఇంజనీరింగ్ రివల్యూషన్ ప్రా.వి. కాలేజీ/కమల

ఇంజనీరింగ్ కాలేజీ/కమల నియమాలను

ప్రకటన పత్రం.

సూచన :- ప్రా.వి. కాలేజీ/కమల ఇంజనీరింగ్

ప్రకటన పత్రం ఇంజనీరింగ్ కాలేజీ/కమల

గ్రామం వున్న ప్రా.వి. కాలేజీ/కమల రివల్యూషన్ నియమాలను

ప్రా.వి. కాలేజీ/కమల ఇంజనీరింగ్ కాలేజీ/కమల నియమాలను

నియమాలను ప్రకటన పత్రం ప్రకటన పత్రం ప్రకటన పత్రం

ఇంజనీరింగ్ కాలేజీ/కమల నియమాలను ప్రకటన పత్రం.

ప్రా.వి. కాలేజీ/కమల ఇంజనీరింగ్

ప్రకటన పత్రం ప్రకటన పత్రం ప్రకటన పత్రం

Kagolam peddanna.

Notary Public

1.2.2004

Sri B. Kalinga Rao, P. K. Srinivasulu, S. S. Srinivasulu

11.11.10 (V)

Gummalu (M.D.), P. K. Srinivasulu

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(TRUE TRANSLATION)

Office of the Managing Trustee,
Bheemalingeswara Swamy Devasthanam,
Ravipadu Village, Cumbum Mandal, Prakasam District.

Sub:- Endowments Department – Prakasam District – Cumbum Mandal,
Ravipadu Village, Sri Bhimalingeswara Swamy Devasthanam –
Appointing Sri D.Koteswararao as Junior Assistant – Orders – Issued.

Ref:- Application of Sri D.Koteswararao

-o00-

Sri D. Koteswararao, has filed an application to work as Clerk in Sri
Bheemalingeswara Swamy Devasthanam situated in Ravipadu Mandal,
Cumbum Mandal, Prakasam District. As per his application, as he is
eligible to act as Clerk, the above Devasthanam has appointed Sri D.
Koteswararao, as clerk on payment of Rs.500/- per month.

Sri D. Koteswararao, Junior Assistant is directed to join duty
immediately.

Sd/- x x x, 1-8-2004,
Managing Trstee,
Sri Bheemalingeswara Swamy Temple,
Ravipadu (V),
Cumbum (Mdl.), Prakasam Dist.

(TRUE COPY)

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Office of the Assistant Commissioner's
Endowments Department, Ongole

E.Dis. No. B2/2412/2005, Dated: 21-02-2005.

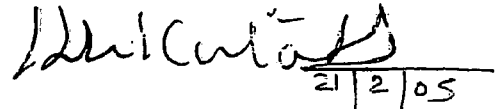
Sub:- Endowments Department - Enhancement of Salary to
Sri D. Koteswara Rao, Junior Assistant -
Sri Bhimeswara & Brahmeswara Swamy Temple -
Ravipadu (V) Cumbum (M) Prakasam District -
Permission - Accorded.

Ref:- Rc. No. Nil/2005, Dt. 10-02-2005 from the Managing
Trustee of subject Temple.

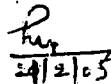
* * *

In the light of the circumstances explained by the Managing
Trustee of subject temple in the reference cited the salary of
Sri D. Koteswara Rao, Junior Assistant ofr the subject temple is
hereby enhanced from Rs.500/- to 800/- per month with effect
from 01-02-2005.

The Managing Trustee is permitted to pay the salary to the
Junior Assistant accordingly with effect from 01-02-2005.


21/2/05

Assistant Commissioner,


21/2/05

Copy to

- 1) D. Koteswara Rao, Junior Assistant subject temple.
- 2) Managing Trustee of Subject temple.
- 3) The Inspector, Endowments Department, Markapur.
- 4) Extra.

22-14

Sub:- Endowments Department – Temple Establishment – Extension of P.R.C. Scale to Sri D. Koteswara Rao, Junior Assistant – Working in the Establishment of Sri Bhimeswara & Brahmeswara Swamy Temple - Ravipadu (V) Cumbum (M) Prakasam District – Instructions – Issued.

Ref:- 1. Representation Dated: 10-02-2008 of Sri D. Koteswara Rao, Junior Assistant of subject temple.

2. Report dated Rc. No.Nil/2008, Dt. 15-02-2008 from the Managing Trustee of subject Temple.

3. Rc. No. J2/32111/1989, Dt. 08-12-1989 from the Commissioner, Endowments Department, A.P., Hyderabad.

* * *

While communication a copy of the circular under Reference 3rd cited the Managing Trustee of the subject temple is directed to take appropriate action in extension of PRC scale to Sri D. Koteswara Rao, Junior Assistant of subject temple. Subject to the conditions that the limitation of 30% on establishment charges as provided under the Act.

Assistant Commissioner,

20/2/08

- 1) Copy to Managing Trustee of Subject temple.
- 2) Copy to the Inspector, Endowments Department, Markapur.
- 3) Extra.

22-15

మేనేజింగ్ ధర్మకర్త గారి కార్యాలయము
శ్రీ భీమలింగేశ్వర మరియు బ్రహ్మేశ్వర స్వామి
దేవస్థానములు, రావిపాడు గ్రామము,
కంభం మండలం, ప్రకాశం జిల్లా.

విషయము:- ప్రకాశం జిల్లా - కంభం మండలం - రావిపాడు గ్రామము -
శ్రీ భీమలింగేశ్వర మరియు బ్రహ్మేశ్వరస్వామి దేవస్థానములు -
శ్రీ డి.కోటేశ్వరరావు, గుమాస్తాగా - జీతము - స్కేలు ఇచ్చుట - ఆర్డరు
ఇచ్చుట గురించి.

సూచిక:- ఆర్.సి.నెం.డి.డిన్.నెం.బి2-2846-2008, తేది 20.02.2008
శ్రీ సహాయ కమీషనరు, దేవాదాయ, ధర్మాదాయ శాఖ, ఒంగోలు వారి
ఆర్డరు

- x -

ఉత్తర్వు:

ప్రకాశం జిల్లా, దేవాదాయ శాఖ, రావిపాడు దేవస్థానములలో గుమాస్తాగా పనిచేయుచున్న
శ్రీ డి.కోటేశ్వరరావు గారికి 1986 స్కేలు ఉత్తర్వులను పై సూచిక ద్వారా శ్రీ సహాయక
కమీషనరువారు ఇచ్చియున్నారు. పై ఉత్తర్వుల ప్రకారము గుమాస్తాకు 1986 స్కేలు జీతమును
ఈ క్రింది విధముగా ఇవ్వటం జరిగినది.

జీతము వివరములు:

పే = 910, డి.ఏ. 83% = 755, హెచ్.ఆర్.ఏ. = 91 మొత్తం = రూ., 1,756/-

ప్రతి

1. శ్రీ డి.కోటేశ్వరరావు, జూనియర్ గుమాస్తా,
2. సర్వీసు రిజిస్టరు.
3. కార్యాలయపు ప్రతి

ఇట్లు
Nagabelli Peddanna

Managing Trustee
SA Bhimalingeswara & Brahmeswara Swamy Temple
RAVIPADU (V)
Cumbum (Mdy), Prakasam Dist.

-34-

(TRUE TRANSLATION)

Office of the Managing Trustee,
Sree Bheemalingeswara and Brahmeswara Swamy Devasthanams,
Ravipadu Village, Cumbum Mandal, Prakasam District.

Sub:- Prakasam District - Cumbum Mandal - Ravipadu Village - Sri
Bheemalingeswara and Brahmeswara Swamy Devasthanams - Sri
D. Koteswararao, as Clerk - Salary - Giving Scale - Order - Issued -
Reg.

Ref:- Orders of the Ast. Commissioner, Endowments Department, Ongole
in Rc.No. D.Dis.No. B2-2846-2008, dt. 20-02-2008.

-o0o-

Order:-

Vide Reference cited above, the Assistant Commissioner has issued
1986 Scale orders in favour of Sri D. Koteswararao, who is working as
Clerk in Endowments Department Devasthanams, Ravipadu, Prakasam
District. As per the above orders, the said Clerk has been given 1986 pay
scale as follows:

Details of the Salary :

Pay = 910-00, D.A. 83% - 755, HRA - 91, total Rs.1,756/-

Yours,
Sd/- x x x,
Managing Trustee,
Sri Bheemalingeswara Swamy Temple,
Ravipadu (V),
Cumbum (Mdl.), Prakasam Dist.

Copy :

1. Sri D. Koteswararao, Junior Clerk.
2. Service Register.
3. Office Copy.

(TRUE COPY)

25-16

Office of the Single Trustee,
Sri Bhima Lingeswara &
Brahmeswara Swamy Temple,
Ravipadu (V), Cumbum (M),
Prakasam Dt.

Proc.in Rc.No. Nil/2011, Dt. 01 - 01- 2011.

Sub:- Encowments Department - Temple staff Establishment - Sri Dasari.
Koteswara Rao - Clerk in Sri Bhima Lingeswara & Brahmeswara Swamy
Temple, Ravipadu (V), Cumbum (M), Prakasam Dt. - Requesting to
sanction annual periodical increment for the year 2011-12 - Accorded
orders - Issued.

Ref:- Letter dated 30-12-2010 from Sri Dasari. Koteswara Rao Clerk of the
subject temple.

* * *

Under the circumstances explained by Sri Dasari. Koteswara Rao, Clerk of
subject temple in the reference cited, he is hereby sanctioned the annual periodical
increment of Rs. 30/- (Rupees Thirty only) and presently raised his pay from Rs.
970/- to Rs. 1000/- with effect from 01-01-2011.

The next annual periodical increment is come to 01-01-2012.

Ravipadu,
Dt. 01-01-2011.

To

Sri Dasari Koteswara Rao, Clerk of subject temple.

G. Sankar Reddy
1.1.2011
SINGLE TRUSTEE
Sri Bhimalingeswara & Brahmeswara Swamy Temple
RAVIPADU (VIII.),
Cumbum (Mdl.), Prakasam Dist.

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**PROCEEDINGS OF THE SINGLE TRUSTEE: SRI BHIMALINGESWARA AND
SRI BRAHMESWARASWAMY TEMPLE. RAVIPADU
CUMBUM MANDAL – PRAKASAM (Dist)**

PRESENT:

SRI G. SAMSUNDHER. SINGLE TRUSTEE AND INSPECTOR ENDOWMENTS DEPARTMENT
MARKAPURAM.

RC.NO.NILL/2011

Dt: 04/01/2011

Sub: - Sri Bhimalingeswara and Brahmeswaraswamy Temple, Ravipadu – Estt – Sri
Dasari, Koteswara Rao, Junior Assistant – RPS 1999 – Orders – Issued –
Regarding.

Ref: - 1. Commissioner of Endowments, AP, Hyd Lr. No J2/32111/89, Dt.08/12/1989.
2. Commissioner of Endowments, AP Hyd Lr. No.J2/12961/91. Dt. 07/04/2000.
With Monetary benefit from 01/04/2000.
3. Representation of the individual.

ORDER.

Sri Dasari Koteswara Rao, has appointed as junior Assistant and joined on 01/07/2006 in the
time scale of 910-1625 and the commissioner of Endowments AP. Hyd in his reference 1st cited.

The individual was joined on 01/07/2006 and the RPS 1999 has been implemented as on
that date.

Hence his pay has been fixed in the Revised pay scales of 1999 as 01/07/2006 in the time
scale of 3290-80-3450-100-3960-120-4500-170-6150-200-6550 and his pay been fixed in the
minimum time scale of scale at Rs.3290-00 as on 01/07/2006 in the cadre of Junior Assistant in the
above time scale.

His annual grade increments are here by sanctioned:-

1-7-2007	-	Rs.	3370-00
1-7-2008	-	Rs.	3450-00
1-7-2009	-	Rs.	3550-00
1-7-2010	-	Rs.	3650-00

To

The individual spare

Copy to the SR. of the individual

G. Samsundher
4.1.11

SINGLE TRUSTEE
Sri Bhimalingeswara & Brahmeswara Swamy Temple
RAVIPADU (VIII.),
Cumbum (Mdi.), Prakasam Dist.

MEMORANDUM OF WRIT MISC PETITION
(UNDER SECTION 151 OF CPC)

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

I.A. No. OF 2025
IN

WP. No. 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

For the reasons stated in the affidavit filed in support of the
above W.P, Pending disposal of the writ petition 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.

AMARAVATHI

Date: 30.04.2025


COUNSEL FOR THE PETITIONER

7

cf

DISTRICT :: PRAKASAM

IN THE HIGH COURT OF
ANDHRA PRADESH AT
AMARAVATI

I.A.NO. _____ OF 2025

IN

W.P.No. _____ of 2025

Brady

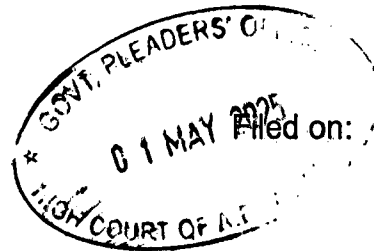
DIRECTION PETITION

Thursday, May 01, 2025 14:56:34 PM

APOLCMS

REV070234764

Acknowledgement No.:



FILED BY:

D.V.SASIDHAR (10944)
M.V.S.NIKHIL KASHYAP
M.RAGUNANDAN
ADVOCATES
COUNSEL FOR THE PETITIONERS

9676554537