

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

* * *

WRIT PETITION No.21092 OF 2015

Between:

P.S. Appala Raju .. Petitioner

And

The Special Commissioner,
RD & Member Secretary,
Society for Rural Development
Service (SRDS), Hyderabad and others .. Respondents

DATE OF JUDGMENT PRONOUNCED: 28-07-2015

SUBMITTED FOR APPROVAL:

HON'BLE SRI JUSTICE R. KANTHA RAO

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

HON'BLE SRI JUSTICE R. KANTHA RAO

WRIT PETITION No.21092 OF 2015

ORDER:

Heard Sri K. Durga Prasad, learned counsel appearing for the petitioner, learned Government Pleader for Panchayat Raj and Rural Development appearing for respondents 1 to 3 and Sri Ch. Ravi, learned Standing Counsel appearing for respondent No.4.

The Society for Rural Development Services (SRDS) has appointed the petitioner as Fixed Tenure Employee (FTE) on contract basis for a period of one year upto 31.03.2012 for the post of APO and his services were placed under the Rural Development Department for implementation of various Rural Development Programmes. On 31.10.2013, the 3rd respondent, issued a show cause notice levelling certain charges of misappropriation against the petitioner and others in respect of 192 works in the year 2012. The Social Audit Team has also reported certain irregularities/lapses alleged to have been committed by the petitioner, while working as APO in Sankavaram Mandal.

In response to the show cause notice, the petitioner submitted his explanation. Thereafter, after conducting an enquiry, the petitioner was terminated and an order to recover an amount of Rs.7,34,306/- was passed. In pursuance of the said order, the petitioner was directed to remit the said amount to NREGS Nodal Account within 15

days from the date of receipt of the order.

It is contended by the learned counsel appearing for the petitioner that the enquiry was not conducted properly and therefore the order impugned in this Writ Petition is liable to be set aside.

Since an alterative and efficacious remedy is available to the petitioner, the Writ Petition is disposed of, directing the petitioner file an appeal before the 1st respondent within 15 days and thereafter the 1st respondent is directed to consider and dispose of the appeal notwithstanding any delay in filing the appeal and pass appropriate orders thereon within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE R. KANTHA RAO

28.07.2015

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