

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.38190 of 2015

Date: 25.11.2015

Between :

N.Aivelamma, W/o Rammohan, Aged 30 years,

Occu: Field Assistant (under suspension),

Obannapeta Gram Panchayat, Kondapuram

Mandal, YSR Kadapa District.

.... Petitioner

And

The State of Andhra Pradesh, rep.by its Secretary,

Panchayat Raj and Rural Development Department,

Secretariat, Hyderabad and another.

.... Respondents

This Court made the following :

HONOURABLE SRI JUSTICE P.NAVEEN RAO

-

WRIT PETITION No.38190 of 2015

ORDER :

Petitioner is a Filed Assistant. Alleging that some irregularities committed by the petitioner in performance of her duties, by proceedings dated 06.08.2015, she was called to submit her explanation on various allegations leveled in the said proceedings. Pending enquiry into the said allegations, petitioner was also placed under suspension. Alleging that there is no progress in the enquiry and she was illegally kept under the suspension, this writ petition is filed.

2. When the matter is taken up for consideration, learned special counsel representing the 2nd respondent submits that enquiry would be completed within a period of one month.

3. As seen from the orders impugned in the writ petition, allegations made against the petitioner are grave. Pending enquiry into the said allegations, it is always open to the disciplinary authority to place an employee under suspension so that

employee does not involve in tampering the evidence or influencing the witnesses and suspension is also a medium, to convey message to employees, that no misconduct can be tolerated and disciplinary action would follow. It is not the case of the petitioner that the Project Director is not the competent authority to place her under suspension. Whether the allegations leveled against the petitioner are true or without substance is a matter which can be gone into only by the competent authority in the course of disciplinary action on consideration of the explanation submitted by the individual. Even before the proceedings are concluded and the decision taken by the competent authority, this Court cannot go into merits of the allegations.

4. Having regard to the statement made by the learned special counsel for 2nd respondent, this writ petition is disposed of directing the 2nd respondent to complete the disciplinary proceedings against the petitioner and pass appropriate orders thereon within a period of one month from the date of receipt of copy of this order. There shall be no order as to costs.

Miscellaneous petitions if any pending in the writ petition shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 25.11.2015

Kkm

HONOURABLE SRI JUSTICE P.NAVEEN RAO

-

Writ Petition No.38190 of 2015

Date: 25.11.2015

kkm