

HON'BLE MR JUSTICE R. KANTHA RAO

Writ Petition No.16492 OF 2015

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DATE:18.06.2015

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BETWEEN:

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B. Shankaraiah .. Petitioner

And

The State of A.P. rep. by its Principal Secretary, Rural Development Dept.,
Hyderabad and two others

.. Respondents

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.16492 OF 2015

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution

of India seeking to issue a writ of mandamus declaring the impugned show cause notice No.K9/1527/1515, dated 04.05.2015 of the 3rd respondent in temporarily removing the petitioner from service without conducting any enquiry and giving opportunity of being heard and to set aside the same, as illegal, arbitrary, highhanded, violation of principles of natural justice and consequently to direct the respondents to continue the petitioner into service as Field Assistant with all consequential benefits.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. The petitioner was appointed as Field Assistant under MGNREGS, Chittoor District. By the impugned order, dated 04.05.2015, the petitioner was placed under suspension on certain allegations.

4. Learned counsel appearing for the petitioner submits that the petitioner is not at all concerned with the said allegations and he had never been in-charge of the works in respect of which the allegations have been made. The learned counsel further submits that the petitioner submitted an explanation setting out all these facts, but the same have not been considered by the respondents.

5. On the other hand, the learned counsel appearing for the respondents would submit that since the order impugned is an order of suspension pending enquiry, it may not be interfered with.

6. Considering the submissions made on either side, I am of the view that the writ petition can be disposed of with a direction to the 3rd respondent to complete the enquiry within a prescribed period.

7. Consequently, the writ petition is disposed of directing the 3rd respondent to complete the enquiry against the petitioner within a period of one month from the date of receipt of a copy of this order duly considering the explanation filed by the petitioner and afford him an opportunity of personal hearing. If the enquiry is not completed within a period of one month, the order of suspension shall stand revoked. There shall be no order as to costs.

Miscellaneous petitions, if any, filed in this writ petition shall stand closed.

R.KANTHA RAO, J

Date:18.06.2015

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THE HON'BLE SRI JUSTICE R.KANTHA RAO

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