

HON'BLE MR JUSTICE R. KANTHA RAO

Writ Petition NO.17448 OF 2015

DATE:17.06.2015

BETWEEN:

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V. Basha Mohiuddin .. Petitioner

And

The State of A.P., rep. by its Principal Secretary, Transport Dept., Hyderabad and
three others

.. Respondents

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition NO.17448 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 action of the 4th respondent in issuing suspension orders No.P2/114(1)15-ZWS/KDP, dated 10.06.2015 as illegal, arbitrary and against the Regulation 18(3) of A.P.S.R.T.C. (Classification, Control and Appeal) Regulations, 1967 and also against the principles of natural justice and consequently to set aside the same.

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

The petitioner is working as Record Tracer in the respondents corporation while the de facto complainant is working as Shramik in the Corporation. It is alleged against the petitioner that one MLN Reddy, the de facto complainant asked the petitioner to provide him a chair, the petitioner stated to him that he need not provide any chair soon after he comes and he need not oblige his request. Being annoyed by the words of the petitioner, the de facto complainant gave complaint to the Works Manager to take appropriate action against the petitioner. Basing on the said complaint, the petitioner was placed under suspension by order dated 10.06.2015 pending enquiry.

The learned counsel appearing for the petitioner would submit that no abusive language is used and the words allegedly used by the petitioner against the de facto complainant do not constitute any misconduct and therefore, the suspension is illegal.

On the other hand, the learned Standing Counsel appearing for the respondents Corporation would submit that since the order impugned is an order of suspension pending enquiry, the same does not require any interference in the writ petition.

Having gone through the submissions made by both the learned counsel, I am of the view that the words used by the petitioner do not attract any serious misconduct warranting suspension. Therefore, I am inclined to revoke the suspension.

Accordingly, the order of suspension dated 10.06.2015 passed by the 4th respondent is hereby revoked. The respondents are directed to complete the enquiry within a period of eight weeks from the date of receipt of a copy of this order and

pass appropriate orders.

Consequently, the writ petition is disposed of at the stage of admission. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in consequence.

R.KANTHA RAO,J

Date:17.06.2015

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THE HON'BLE SRI JUSTICE R.KANTHA RAO

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