

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

Writ Petition No.24876 of 2015

Between:

J Venkateswara Rao

...Petitioner

And:

The State of Telangana, rep. by its
Principal Secretary, Panchayat Raj
& Rural Development Department, Hyderabad
& another

... Respondents

DATE OF JUDGMENT PRONOUNCED: 10.08.2015

SUBMITTED FOR APPROVAL:-

THE HON'BLE SRI JUSTICE R. KANTHA RAO

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

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.24876 of 2015

ORDER:

Heard Sri Suresh Kumar Potturi, learned counsel appearing for the petitioner and the learned Government Pleader for Panchayat Raj and Rural Development.

2. According to the petitioner, he was appointed as Field

Assistant at Lokurthi Village, Damaragidda Mandal, Mahaboobnagar District in the year 2006. While so, the 2nd respondent issued suspension order dated 11.02.2011 calling for the explanation of the petitioner on certain allegations. The petitioner submitted his explanation on 04.05.2011. Thereafter, the Mandal Parishad Development Officer conducted a detailed enquiry and submitted his report on 06.08.2011. The 2nd respondent orally directed the petitioner to submit another detailed point wise explanation to the allegations, for which also the petitioner submitted another detailed explanation on 08.08.2011. As the 2nd respondent has not passed any final orders on the enquiry report, the petitioner filed WP No.32851 of 2011 before this court, wherein, this court directed the 2nd respondent to consider the case of the petitioner and pass appropriate orders within a period of four weeks. Though this court passed orders in the year 2011 directing the 2nd respondent to pass orders within a period of four weeks from the date of receipt of a copy of the order, the 2nd respondent passed orders only on 20.03.2015 setting aside the suspension order by ordering recovery of a sum of Rs.6983/- and also imposing fine of Rs.3000/- and also warned the petitioner to be careful in his duties. Accordingly the petitioner paid the amount as directed by the 2nd respondent vide demand draft dated 25.03.2015 and when he tried to join the duties, the 2nd respondent has issued impugned proceedings keeping the orders dated 20.03.2015 in abeyance. Hence, the petitioner filed the present writ petition to declare the action of the respondents in issuing the impugned proceedings dated 27.03.2015 wherein the reinstatement order of the petitioner was kept in abeyance.

3. It is submitted by the learned counsel appearing for the petitioner that though a detailed enquiry was conducted against the petitioner and the Enquiry Officer submitted a report to the 2nd respondent, the 2nd respondent has not passed any orders, the

petitioner filed WP No.32851 of 2011 wherein this court directed the 2nd respondent to pass appropriate orders within four weeks. Though, the orders were passed in the year 2011, the 2nd respondent passed orders only on 20.03.2015 for reinstatement of the petitioner into service and also ordering recovery of misappropriated amount of Rs.6983/- and imposed fine of Rs.3000/-. As per the said order, the petitioner paid the amount on 25.03.2015 through demand draft, but 2nd respondent has issued impugned orders dated 27.03.2015 keeping the orders dated 20.03.2015 in abeyance without giving any reasons.

4. In the circumstances, the writ petition is allowed setting aside the impugned proceedings dated 27.03.2015 of the 2nd respondent and the respondents are directed to permit the petitioner to join duty as Field Assistant forthwith. No order as to costs. Pending miscellaneous petitions, if any, shall stand closed in consequence.

R. KANTHA RAO, J

Date: 10.08.2015
BSS

HON'BLE SRI JUSTICE R. KANTHA RAO

22

Writ Petition No.24876 of 2015

— — — — —

Date: 10.08.2015

BSS