

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No. 2216 OF 2015

ORDER:

The petitioner herein, who is working as an Assistant Divisional Engineer with the Transmission Corporation of Telangana, Hyderabad, the 1st respondent herein, challenges the orders passed by the Director (Projects & HR) of the said Corporation on 30.12.2014.

It appears, a complaint has been lodged by one Smt. B. Krishnaveni with the Joint Managing Director of the Corporation alleging that the writ petitioner is maintaining 'a live-in relationship' with one Sri. M. Ramana Reddy, Assistant Accounts Officer of the Corporation. It appears, Smt. Krishnaveni was the wife of the said Ramana Reddy. In her complaint, she has also brought out that in the school records of their children, Sri Ramana Reddy has disclosed himself as the parent of such children. Therefore, the complainant brought to the notice of the Corporation the unbecoming conduct on the part of her husband Ramana Reddy and that of the writ petitioner. As is required, the Corporation got the matter investigated through their Vigilance Department. The report of the vigilance enquiry revealed some *prima facie* material in support of the complaint. Therefore, on 16.10.2014, the Corporation has called for the explanation of the writ petitioner with regard to her relationship with Sri Ramana Reddy. She was granted 15 days' time through the memo dated 16.10.2014 to file her explanation. In response thereto, on 18.11.2014, the petitioner filed a very brief representation requesting the Joint Managing Director of the Corporation to supply the following documents:

- 1) copy of petition of Smt. B. Krishnaveni,
- 2) vigilance enquiry report,
- 3) proof of evidence copy,
- 4) written statement of Ramana Reddy, and
- 5) my written statement and documents proof of second allegation made in reference cited.

She has also sought for two months' time for filing her explanation with regard to the allegations made by Smt. Krishnaveni.

From a perusal of the representation dated 18.11.2014, it emerges that the petitioner is not interested in filing her explanation immediately. She was somehow, it appears, bargaining for buying time. Otherwise, when the gist of the allegation contained in the complaint lodged by Smt. Krishnaveni has been brought to the notice of the writ petitioner, there does not appear to be any purpose intended to be served by asking for a copy of the petition submitted by Smt. Krishnaveni. Similarly, a copy of the vigilance enquiry report is also sought for by the petitioner. The vigilance enquiry appears to have been ordered by the Corporation as it cannot straightaway proceed into an allegation touching upon the conduct of two of its employees. Therefore, it got the vigilance enquiry conducted only to ascertain as to whether there is any reasonable basis and material behind the allegation contained in the petition submitted by Smt. Krishnaveni, so that necessary action can be initiated against the concerned. Unless the vigilance enquiry report is sought to be marked in any disciplinary proceedings, question of making available a copy thereof to the petitioner, that too for the purpose of enabling her to file her explanation for the allegation is unwarranted. Above all, the petitioner also sought for a copy of proof of evidence. Normally, in an allegation of live-in relationship by two individuals, seldom proof in the form of documents would be available. It is only when they deny any such relationship between them, perhaps, the Corporation will have to take necessary steps to produce evidence by examining various individuals, who can vouch for any such relationship being maintained by the two individuals concerned. Similarly, the petitioner sought for a copy of the written statement of Sri Ramana Reddy. I am afraid, this copy cannot be made available to the writ petitioner as of now. Even in a worst case scenario, where Sri Ramana Reddy, instead of denying the allegation, has admitted the same to be correct, that will not, in any way, hamper or cause any hindrance what the petitioner either deny the allegations or establish that there was no such relationship maintained by her with the said Ramana Reddy. Therefore, the

request of the petitioner to supply the written statement of Sri Ramana Reddy is an unwarranted one. Finally, she has sought for the statement made by her and the documents in support of the proof of the second allegation relating to Sri Ramana Reddy disclosing as the parent of the children of Smt. Krishnaveni. The question of making available the statement copy of the writ petitioner herself would not arise. Secondly, the documents in support of the proof of allegation that Sri Ramana Reddy has disclosed himself as the parent of the children of Smt. Krishnaveni would arise only in the event of the necessity for the Corporation to establish.

Sri Hari Preeth, learned counsel for the petitioner would submit that the second allegation is not so much concerned to the children of Smt. Krishnaveni, but it relates to the children of the petitioner herself.

If that be so, it is all the more surprising that the writ petitioner is seeking the Corporation to make available copies of the material, which is very much available with her. For instance, if the petitioner is already married to someone else and she has nothing to do with Sri Ramana Reddy, all that she needs to establish is her marital status by producing appropriate material in support of her claim. If she has already been blessed with children, she can as well obtain the entries relating to the admission of her children into educational institutions vouching for the fact that Sri Ramana Reddy @ Ramana Rao or vice versa has nothing to do with the parentage of her children. Therefore, the attempt made by the petitioner in demanding the supply of documents, as at present advised, is an irrelevant exercise. The occasion perhaps would arise only in the event the Corporation decides to proceed further in the matter. This apart, there is no justification for the petitioner to seek a further two months' period, as it is she has taken nearly a month's time to respond to the memo dated 16.10.2014 and even after the memo dated 30.12.2014 asking the petitioner to submit her explanation within 15 days, she has also consumed more than a month's time.

I therefore, do not find any justifiable reason to entertain this

Writ Petition and hence, it is accordingly, dismissed at the admission stage. No costs.

Sri P. Lakshma Reddy, learned Standing Counsel for the respondents is requested to inform the Joint Managing Director to hold on till 13.02.2015 to enable the petitioner to submit her detailed explanation.

Consequently, the miscellaneous applications, if any shall also stand dismissed.

NOOTY RAMAMOHANA RAO, J

06th February 2015

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