

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

**WEDNESDAY, THE EIGHTEENTH DAY OF NOVEMBER TWO THOUSAND
AND FIFTEEN**

Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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WRIT PETITION No.37362 of 2015

Between:

Smt. Pabbathi Jyothi,
W/o. Ravindranatha Reddy,
Aged 42 years, Occ: Asst. Grade III,
Godown Incharge, Kodada MLS Point,
Nalgonda District.

.. Petitioner

AND

The State of Telangana,
Rep. by Principal Secretary,
Revenue Department,
Secretariat Buildings,
Hyderabad & 2 others

.. Respondents

The Court made the following:

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ORDER:

The petitioner claims to have been an employee of Telangana State Civil Supplies Corporation Limited in Nalgonda District and working as Assistant Grade-III, Godown Incharge, Kadada MLS Point, Nalgonda District. Alleging certain irregularities stated to have been committed, show cause notice was issued to the petitioner on 07.11.2015 calling upon the petitioner to submit her explanation on the irregularities pointed out in the said show cause notice. The petitioner submitted representations requesting to grant some time and also supply of documents which according to the petitioner are relevant for the effective reference by the petitioner. Alleging that the documents required are not furnished and that the time granted to the petitioner is very short, this writ petition is filed.

2. As seen from the show cause notice impugned in the writ petition, it only lists out the alleged irregularities committed by the petitioner and calls upon her to submit explanation as to why suitable disciplinary action shall not be initiated against the petitioner. Thus, it is not a proceeding initiated in exercise of disciplinary control and the disciplinary proceedings are not set in motion as yet. As and when disciplinary proceedings are initiated, it will have to contain a charge memo which shall have all the relevant particulars of the charges, list of documents and witnesses, if any. An opportunity is thrown to the petitioner, even before initiating disciplinary proceedings calling upon her to submit explanation so that if the *prima facie* allegation is not proved and an effective explanation is furnished by the petitioner, there is no need for proceeding further and conducting disciplinary proceedings against the petitioner. Instead of availing the opportunity thrown at her, the petitioner went on asking for documents and vailing of time on one pretext or the other.

3. Since what is challenged in the present writ petition is only a show cause notice, even before initiation of disciplinary proceedings and the said show cause notice is issued by the competent authority granting an opportunity to the petitioner to explain before subjecting the petitioner to disciplinary action, the writ petition is not maintainable at this stage.

4. The Writ Petition is, accordingly, dismissed. However, having regard to the very short time granted to the petitioner, the petitioner shall be given further opportunity of filing a detailed explanation to the said show cause notice on or before 30.11.2015. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 18th November, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.37362 of 2015

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Date: 18th November, 2015

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