

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.24726 of 2015

ORDER:

Heard Sri M.V.Raja Raam, learned counsel appearing for the petitioner and Sri T. Sudhakar Reddy, learned standing counsel for APSHC.

2. The petitioner joined as a daily wage watchman in the respondents-Corporation and his services were regularized with effect from 1991. Subsequently, he was promoted to the post of Junior Assistant in May 1999, as Senior Assistant in August 2000 and as Assistant Manager in June 2009. According to the petitioner, he has two daughters and out of them, his elder daughter by name Sobharani was given in adoption to his own brother Nagaiah, who educated and performed the marriage of her. Due to the matrimonial disputes, his elder daughter has lodged a complaint to the Police on 05.11.2012 against her husband and parents-in-law, for dowry harassment and the police registered a case and filed charge sheet in CC No.592 of 2012 against them. To take grudge against his daughter, the parents-in-law of his daughter, gave false complaint against the petitioner to the Department as if he submitted a false income certificate and claimed amount from the Government for educational reimbursement. Basing on such allegations, the CID appears to have addressed a letter to the 1st respondent, who in turn without any verification of the allegations or causing any enquiry passed impugned proceedings suspending the petitioner pending enquiry.

3. Having to the facts and circumstances of the case, and since the charges levelled against the petitioner are not connected with the discharge of his official duties and in view of the submission made by the learned counsel appearing for the petitioner that the petitioner's

daughter Sobharani was given in adoption to his brother Nagaiah, who educated her and performed her marriage, this court is of the opinion that continuing the petitioner under suspension pending enquiry is not warranted. Therefore, the impugned proceedings of the 1st respondent dated 25.07.2015 are set aside. However, this order does not preclude the authorities to enquire into the allegations made against the petitioner.

4. The writ petition is accordingly allowed. Pending miscellaneous petitions, if any, in this writ petition, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 26.08.2015
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