

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

WP No.22009 of 2015

Between:

Peram Nancharaiah

...Petitioner

And:

State of Andhra Pradesh, rep. by its
Commissioner, Rural Development/State Programme
Coordinator of Mahatma Gandhi National Rural Employment
Guarantee Scheme (MNREGS) Hyderabad,
Hyderabad & others

... Respondents

DATE OF JUDGMENT PRONOUNCED: 17.07.2015

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.22009 of 2015

ORDER:

Heard Sri K. Ramakoteswara Rao, learned counsel appearing
for the petitioner, learned Government Pleader for Panchayat Raj and
Rural Development-R.1, R.2 and R.4 and Sri Ravi Cheemalapati,
learned special counsel for R.3 & R.5.

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

of Guddikayalanka Gram Panchayat, Repalle Mandal, Guntur District on 30.07.2007 and since then he has been discharging his duties. However, by impugned proceedings dated 23.06.2015, the 3rd respondent suspended the petitioner on the ground that he was not properly discharging his duties and he was also involved in a criminal case on the file of Repalle Town PS in Cr.No.113 of 2015 dated 07.06.2015 for the offence punishable under Section 307 read with 34 IPC and he was also arrested and remanded to the judicial custody.

3. Learned counsel appearing for the petitioner submits that merely because the petitioner was involved in a criminal case, he cannot be suspended from service, since the criminal case is no way related to his duties as Field Assistant. On the other hand, learned special counsel for respondents would submit that as per the Circular of the Government, if the government employee was in judicial custody for more than 48 hours, he shall be suspended.

4. Having regard to the submissions made on either side, the writ petition is disposed of directing the 3rd respondent-Project Director, DWMA, Guntur, to conduct enquiry against the petitioner and pass final orders, within a period of eight (8) weeks from the date of receipt of a copy of this order, failing which, the suspension order shall stand revoked. Miscellaneous petitions, if any, in this writ petition, shall stand closed. No order as to costs.

R. KANTHA RAO, J

Date: 17.07.2015
BSS

HON'BLE SRI JUSTICE R. KANTHA RAO

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Writ Petition No.22009 of 2015

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