

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.9061 of 2015

ORDER:

The writ petitioner has challenged the orders passed by the Project Director, Mahaboobnagar, on 12-03-2015 removing him from service on the ground that the inquiry report dated 20.10.2014 submitted by the Assistant Project Director, Atmakur, revealed that the petitioner was found guilty of various allegations levelled against him.

The learned counsel for the petitioner is justified in his criticism against the impugned order that the Project Director has passed the said order unilaterally deciding to terminate the employment of the petitioner as a senior-mate without even providing him a fair and reasonable opportunity to defend his cause.

Sri M.S.R. Chandra Murthy, learned Standing Counsel, who has accepted notice on behalf of Respondents 2 and 3, would submit that the Assistant Project Director, Atmakur has conducted a detailed inquiry into the matter by inspecting the works by visiting them door-to-door. Therefore, the allegations levelled against the petitioner with regard to the irregularities said to have been committed by him are established and hence, the Project Director has taken the necessary follow-up action.

It is a fundamental principle of natural justice that no man should be condemned unheard. In the instant case, the Assistant Project Director has not put the writ petitioner on notice before conducting any inquiry and no such inquiry was also conducted in his presence. Therefore, the report of the Assistant Project Director is absolutely a one-sided one. Based on that, the Project Director passed the impugned order for termination of the employment of the writ petitioner.

In these circumstances, it would be in the interest of justice to set aside the order passed by the Project Director and also the Mandal

Parishad Development Officer and direct the respondents to provide the petitioner a fair and reasonable opportunity and allow him to participate in the inquiry and based upon any such finding at the inquiry, after the petitioner participates and puts-forth his defence, if any, appropriate decision in the matter be taken and communicated to the writ petitioner forthwith.

With this, the writ petition stands disposed of at the admission stage, but however, without costs.

Consequently, the miscellaneous petitions, if any, stand disposed of

**NOOTY RAMAMOHANA
RAO, J.**

mrk
15.04.2015.