

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.11216 OF 2016

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a writ, order or direction more particularly one in the nature of a writ of Mandamus declaring the proceedings in Rc.No.D1-1568/2015 dt.01-02-2016 issued by the 3rd respondent as illegal, arbitrary, without jurisdiction and contrary to law and consequently to set aside the same and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. Heard Sri K.Chidambaram, learned counsel, appearing for the petitioner, learned Government Pleader for Panchayat Raj and Rural Development, appearing for the respondents 1 and 2 and Sri M.S.Rama Chandra Murthy, learned standing counsel, appearing for the respondents 3 and 4.

3. Petitioner herein is a Field Assistant at Chinna Tadepalli Village of Tadepalligudem Mandal, West Godavari District. Challenge in the present writ petition is to the order of suspension passed by the Project Director, District Water Management Agency, West Godavari District, Eluru – 3rd respondent herein.

4. It is the submission of the learned counsel for the petitioner herein that in the facts and circumstances of the case, the order of suspension is not warranted and is highly illegal and arbitrary.

5. On the contrary, it is submitted by the learned standing Counsel that the order of suspension is only pending enquiry and the petitioner herein has to face the enquiry before the

3rd respondent.

6. Having regard to the nature of controversy and the nature of allegations against the petitioner in the impugned order, this Court is not inclined to scuttle the further proceedings in the matter and not inclined to meddle with the impugned order. However, this Court is of the considered opinion that the ends of justice would be served, if the 3rd respondent is directed to complete the enquiry by fixing some timeframe.

7. For the aforesaid reasons, Writ Petition is disposed of, directing the 3rd respondent to complete the enquiry against the petitioner, pursuant to the impugned order vide R.C.No.D1-1568/2015, dated 01.02.2016, issued by the 3rd respondent, after giving notice and opportunity to the petitioner herein, within a period of one month from the date of receipt of a copy of this order.

8. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

06.04.2016
SS