

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

–
WRIT PETITION No.21627 of 2016

ORDER:

The petitioner was appointed as a casual driver in the Corporation on 17.04.1986 and his services were regularized with effect from 01.07.1987. He was promoted as Controller on 17.11.2012. In connection with an incident that took place on 02.01.2015, a complaint was lodged against one person – Gopinath, and the complaint was registered as Crime No.4 of 2015 under Section 324 IPC. The said Gopinath in turn filed another complaint against the petitioner in Crime No.5 of 2015 for the offences under Sections 506 read with 324 IPC.

The complaint of the petitioner was compromised before the National Lok Adalat Bench at Rayadurg on 11.07.2015 and C.C.No.82 of 2015 was closed. However, respondent No.5 issued an order of suspension on 30.01.2015 and a charge sheet was issued on the same day. The petitioner submitted his explanation on 11.05.2015. After conducting the enquiry, an order of removal was passed on 01.06.2015 removing the petitioner from service. Against the said order, the petitioner preferred an appeal before the Chief Traffic Manager in Appeal No.265 of 2015 and when the same was not disposed of till today, the present Writ Petition is filed.

Heard the learned Counsel for the petitioner and the learned Standing Counsel for the respondents.

Learned Standing Counsel agreed for disposal of the Writ Petition with a direction to consider the appeal and dispose of the same in accordance with law, if the same is pending as on today.

In the circumstances, this Writ Petition is disposed of directing respondent No.4 to consider the appeal preferred by the petitioner in Appeal No.265 of 2015 against the order of respondent No.5 dated 01.06.2015, if the appeal is pending as on today, within a period of three

months from the date of receipt of a copy of this order and pass appropriate orders thereon in accordance with law. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

05.07.2016
vs