

**THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO**

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**WRIT PETITION No.17249 of 2016**

**ORDER:**

The petitioner claims to have been appointed as a Home Guard in Unit No.III of the Home Guards Organisation of Hyderabad in the year 2009. He did not attend to his duties from 25.02.2012 to 13.06.2012 due to alleged ill health. A show cause notice was issued to him on 28.09.2012 and the petitioner submitted his explanation on 06.10.2012 along with his medical certificate. After submission of the explanation, the fourth respondent permitted the petitioner to join the duty by proceedings dated 11.10.2012. He did not join the duty as directed and he states that he could not join the duty due to ill health again. He states that when he approached the fifth respondent to join the duty on 24.01.2013, his services were taken for some time but he was not paid any amount. However, he received a show cause notice dated 23.01.2014 asking his explanation for his absence from 13.10.2012 to 23.01.2013. The petitioner submitted his explanation on 25.01.2014 stating that, from 13.10.2012 to 23.01.2013 he was hospitalized and he enclosed a medical certificate from the Civil Surgeon of T.B/Chest Hospital, Anantagiri. The medical certificate was sent to the Superintendent of the Hospital for verifying its genuineness by the fourth respondent. The petitioner states that the fourth respondent issued proceedings on 09.10.2014 striking off the names of 235 Home Guards for their continuous absence and the name of the petitioner was also included in the said list. Challenging the said proceedings dated 09.10.2014, the present Writ Petition is filed.

It is clear from the above facts that, though the petitioner was permitted to join the duty after submission of explanation on 06.10.2012 by proceedings dated 11.10.2012, he did not join the duty. In the affidavit filed in support of the Writ Petition though the petitioner stated that he approached the fifth respondent on 24.01.2013 for joining the duty

and his services were taken for some time, he was not paid any amount. The said averment is not supported by any evidence. He responded to another show cause notice dated 23.01.2014 and ultimately proceedings were issued on 09.10.2014 removing his name from the rolls of the Home Guards Organisation, Hyderabad, along with 234 others and the said proceedings is challenged after two years.

In view of the conduct of the petitioner in continuously absenting from duties and challenging the impugned proceedings after two years, this Court is not inclined to admit the Writ Petition and the Writ Petition is, accordingly, dismissed. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

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**(A.RAMALINGESWARA RAO, J)**

03.06.2016

vs