

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

-
WRIT PETITION No.22419 of 2016

ORDER:

The petitioner is working as a Driver in the respondent Corporation. While so, it was alleged that the petitioner misbehaved in a rude manner on 14.05.2016 at about 13.00 hours, which resulted in disruptions of works at Security and Traffic Sections. A preliminary enquiry was conducted by the Assistant Manager (T), Midhani, and on the basis of the same, the petitioner was kept under suspension pending enquiry by order dated 28.06.2016. Challenging the same, the present Writ Petition is filed.

Since the employer wanted to conduct an enquiry on the basis of the preliminary enquiry report submitted by the Assistant Manager (T), Midhani, this Court is not inclined to interfere with the enquiry process. But, the incident which was alleged to have happened on 14.05.2016 does not warrant suspension of the petitioner, as there is no likelihood of tampering with the evidence or influencing the witnesses. In every case there need not be suspension of the employee.

In the circumstances, this Court is inclined to set aside the impugned order of suspension dated 28.06.2016, but giving liberty to the respondents to conduct the enquiry with regard to the alleged incident that occurred on 14.05.2016 pursuant to the preliminary enquiry report and proceed with the same in accordance with law. It is needless to observe that the petitioner shall cooperate with the conduct of enquiry.

The Writ Petition is, accordingly, allowed to the extent indicated above. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

12.07.2016
vs