

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.41782 of 2016

O R D E R:

Heard counsel for the petitioner and Sri N.Vasudeva Reddy, Standing counsel appearing for respondents 1 and 2.

2. This Writ Petition is filed by the petitioner challenging the order dt.15.11.2016 suspending the petitioner pending enquiry.

3. It is not disputed that a charge memo dt.12.11.2016 has been served on the petitioner on 15.11.2016 giving one week time to the petitioner to submit explanation. Petitioner gave a representation on 18.11.2016 seeking certain documents, so that he may submit his explanation within seven days from the date of receipt of said documents.

4. Counsel for the petitioner contends that certain directions mentioned in para 7 of the affidavit filed in support of the Writ Petition have not been followed and that suspension pending enquiry order dt.15.11.2016 ought not to have passed without giving opportunity to the petitioner to submit explanation.

5. As regards the 1st contention is concerned, the petitioner has an opportunity to file a defense/explanation to the charge memo taking the said stand. As regards the 2nd contention, there is no requirement in law that an order

placing an employee under suspension pending enquiry should be preceded by a notice or a hearing. Therefore, both these contentions are rejected.

6. The Writ Petition is therefore disposed of directing the respondents to furnish the documents sought by the petitioner in his representation dt.18.11.2016 within a period of three (03) weeks from the date of receipt of a copy of this order; the petitioner shall submit his explanation to the charge memo within two (02) weeks from the date of receipt of documents from the respondents; and thereafter the respondents are directed to complete the enquiry expeditiously in accordance with law. There shall be no order as to costs.

7. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

M.S.RAMACHANDRA RAO, J

01st December, 2016
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