

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

WRIT PETITION No.41641 of 2016

O R D E R:

Heard counsel for the petitioner, the Government Pleader for Services appearing for respondents 1 to 3, and Sri N.Praveen Kumar, Standing Counsel for 4th respondent.

2. Petitioners are working as Sanitary Supervisor and Junior Assistants, respectively, in the 4th respondent-Municipality. A complaint was lodged against the petitioners by one K.Satish of Mancheria Town alleging that petitioners along with others demanded bribe for issuance of 'No Objection Certificate' for granting Trade License from the District Collector, Adilabad for establishing temporary fire cracker shop in Mancheria Town. A crime was registered by the ACB wherein the petitioners are accused. Petitioners were placed under suspension pending enquiry on 26.03.2016 invoking Rule 8 of the APCS(CC&A) Rules, 1991.

3. Petitioners contend that their suspension has gone on already for 8 months and it is unjust to continue the same further. Taking the said stand, they made a representation on 24.05.2016 and 25.06.2016 to the respondents to revoke their suspension and reinstate them into service, but the 1st respondent had not taken any action thereon.

4. The Government Pleader for Services appearing for respondents 1 to 3 states that 1st respondent will consider the 1st petitioner's representation dt.24.05.2016 within a period four (04) weeks from the date of receipt of a copy of this order and communicate his decision thereon to the 1st petitioner and as regards the 2nd petitioner, he states that the representation was made to the 3rd respondent and that the 2nd petitioner should also make a representation to the 1st respondent, since the petitioners are placed under suspension on the instructions of the 1st respondent.

5. In this view of the matter, the Writ Petition is disposed of directing the 1st respondent to consider the 1st petitioner's representation dt.24.05.2016 within a period four (04) weeks from the date of receipt of a copy of this order and communicate his decision thereon to the 1st petitioner. The 2nd petitioner is granted liberty to give a representation to the 1st respondent to revoke his suspension and reinstate him into service, and on receipt of such representation from the 2nd petitioner, the 1st respondent shall dispose of the same within a period four (04) weeks from the date of receipt of such representation and communicate his decision thereon to the 2nd petitioner. There shall be no order as to costs.

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

M.S.RAMACHANDRA RAO, J

30th November, 2016
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