

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.10301 of 2016

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue a writ any, order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the respondents are not passing any orders on the Impugned Notice No.D12/Nil/ST/ 2014, dated 28.06.2014 of the 2nd respondent for which the petitioner was submitted a detailed reply on 19.12.2015 in respect of dropping the charge and reinstate the petitioner into service, but, so far, no action has been taken, the said action of the 'respondents is highly illegal, arbitrary, unreasonable and also in violation of Art. 14, 16 & 21 of the constitution of India and consequently direct the respondents to pass appropriate orders on the explanation submitted by the petitioner dated 19.12.2015 and reinstate the petitioner into service and drop the above said charge.”

Heard Sri C. Rajashekar Reddy, learned counsel, appearing for the petitioner, learned Government Pleader for Panchayat Raj for respondents 1 and 5, Sri M. Sreerama Chandra Murthy, learned counsel for the respondents 2 and 3 and Sri G. Narender Reddy, learned counsel for respondent No.4.

When the matter is taken up, it is submitted by learned counsel for the respondents 2 and 3 that after submission of explanation on 19-12-2015 by the petitioner herein the Project Director – 2nd respondent herein passed an order on 31-01-2016 vide notice No.D12/S.A./2015-37, ordering recovery of a sum of

Rs.7571/- (Rupees seventy five thousand five hundred and seventy one only) while giving a warning.

In view of the above, the writ petition is disposed of, keeping it open for the petitioner to file appeal against the order, dated 31-01-2016 passed by the 2nd respondent vide notice No.D12/S.A./2015-37, before the District Collector, within a period of one month from the date of receipt of a copy of this order.

Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. There shall be no order as to costs.

A.V. SETHA SAI, J

March 30, 2016

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