

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37342 of 2016

ORDER:

In this writ petition, the petitioner seeks a direction to the 3rd respondent to re-inquire into the complaint dated 29.02.2016.

The petitioner is working as Sub-Inspector/Executive in Central Industrial Security Force Unit, Rajiv Gandhi International Airport, Shamshabad. Her grievance is that she lodged a complaint on 29.02.2016 against one B.Ashok Kumar, Inspector/Head Clerk (who is not made as a party to the writ petition) alleging sexual harassment, but however, the 3rd respondent without following the due procedure, closed the complaint by order dated 19.09.2016.

The learned standing counsel appearing for the 3rd respondent submitted that as against the impugned order there is a statutory remedy of appeal and that the petitioner can invoke the provisions by preferring an appeal against the impugned order under Section 52 of Central Industrial Security Force Rules.

Now, the learned counsel for the petitioner submitted that the petitioner is intended to prefer an appeal before the appellate authority- 2nd respondent, but prayed this Court to pass an order to the authority to transfer the person against whom the petitioner lodged the complaint. This Court is of the view that the said prayer is premature in nature without there being any appeal preferred and furthermore, only after the petitioner establishing the fact that the person against whom the petitioner lodged the complaint, is influencing the appellate authority, the Court can pass any such orders. In the circumstances of the case, the writ petition is disposed of with the following direction:

The petitioner is directed to prefer an appeal before the competent authority for the relief sought for in this writ petition and if the petitioner is so advised, can also file an application seeking transfer of the person, against whom she lodged the complaint.

There shall be no order as to costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

02.11.2016.
Tsr

RAJA ELANGO,J



