

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION No.5665 of 2016

Date:25.02.2016

Between:

Telagathoti Venkata Rao,
S/o Subba Rao

....Petitioner

And:

The Additional Director General of
Police, State of A.P., Hyderabad and
four others.

.....Respondents

Counsel for the petitioner: Mr. Tatineni Banerjee

Counsel for Respondent Nos.1 to 4: GP for Services (AP)

The Court made the following:

ORDER: *(per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

This Writ Petition is filed by a Police Constable feeling aggrieved by a series of orders passed by the disciplinary, appellate and revisional authorities and also by the Andhra Pradesh Administrative Tribunal, Hyderabad (for short 'the Tribunal').

While the petitioner was working as Police Constable in Ongole I Town Police Station, he was placed

under suspension on the ground that one suspect has escaped from the Police Station while he was under the petitioner's surveillance. A charge memo was issued to the petitioner that he has exhibited gross negligence and dereliction of duty in allowing the suspect to escape from the Police Station. The enquiry officer, appointed to hold an enquiry, submitted his report after holding enquiry. The disciplinary authority, after inviting explanation from the petitioner, has imposed a minor penalty of warning on the petitioner and directed suspension period to be treated as 'not on duty'. The appeal filed by the petitioner having been rejected, he has filed a Revision Petition. The revisional authority, after issuing show cause notice for enhancement of penalty, has converted the penalty into one of 'Censure' from 'warning', imposed by the disciplinary authority, with the further direction that the petitioner is not entitled to promotion during the period of censure. Assailing the said order, the petitioner has filed the above-mentioned O.A.

On a careful examination of the facts of the case, the Tribunal has observed that the evidence on record reveals that the petitioner was negligent in his duty by allowing a suspect to escape from the Police Station and has declined to interfere with the orders of the disciplinary and revisional authorities.

In our opinion, the scope of judicial review in matters arising out of the disciplinary proceedings being very narrow, we do not find any jurisdictional error in the decision taken by the revisional authority as well as the order passed by the Tribunal. Hence, we do not find any merit in this Writ Petition and the same is, accordingly, dismissed.

As a sequel to dismissal of the Writ Petition, WPMP.No.7215 of 2016 filed by the petitioner for interim relief is dismissed as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

JUSTICE M.S.K.JAISWAL

*25th February, 2016
DR*