

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

W.V.M.P.No.4635 of 2016

In

W.P.M.P.No.39703 of 2016

In/and

WRIT PETITION No.32112 of 2016

ORDER :

The petitioner has filed this Writ Petition assailing the proceedings No.U(5)/CSSE&IP/2007/2015-16 dt.09-09-2016 reverting her back from the post of Professional Assistant to that of Library Attendant w.e.f. the date of her joining i.e. 08-11-2012 without any prior notice.

2. In the Vacate Stay petition filed by respondents, it is not denied that prior notice was not given to the Writ petitioner before passing the impugned order by the 2nd respondent.

3. Though learned counsel for Vacate Stay petitioners sought to sustain the impugned order of reversion on merits, I am not inclined to go into the said aspect at this stage, since it is admitted by respondents in the Writ Petition that prior notice was not issued to petitioner before passing the impugned order, which visits the petitioner with severe consequences and thus there has been a clear violation of principles of natural justice.

4. Therefore, the Writ Petition is allowed; the impugned order dt.09-09-2016 passed by respondent Nos.2 and 3 is set aside; respondent Nos.2 and 3 are directed to issue a notice to petitioner to

show cause why petitioner shall not be reverted from the post of Professional Assistant w.e.f. 08-11-2012 to her earlier post of Library Attendant; the Writ petitioner shall submit her explanation to the show cause notice within three (03) weeks from the date of receipt of the said show cause notice; and respondent Nos.2 and 3 shall pass a reasoned order in accordance with law and communicate the same to petitioner. If the petitioner does not respond to the show cause notice given to her within the time aforesaid, it is open to respondent Nos.2 and 3 to decide the issue *ex parte*. No costs.

5. It is made clear that this Court has not expressed any opinion on the contentions of either party.

6. W.V.M.P.No.4635 of 2016 is dismissed.

7. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date : 07-12-2016

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