

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

WRIT PETITION No.10942 OF 2016

ORDER:

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

“to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in issuing show cause notice proposing to impose punishment of "Stoppage of two Annual Grade Increment without Cumulative effect" even though 84% pass results is achieved in Advanced Supplementary results is illegal, arbitrary and violative of Article. 14, 16 and 21 of the Constitution of India and consequently quash the show-cause notice vide proceedings No.

Z-V/61015/2015 DT. 19.02.2016 of the

2nd respondent and pass such other order or orders may deem fit and proper in the circumstances of the case.”

2. Heard Sri J.M.Naidu, learned counsel, appearing for the petitioner, learned Government Pleader for Social Welfare, appearing for the 1st respondent and Sri N.Bhupal Reddy, learned standing counsel, appearing for the 2nd respondent.

3. Petitioner herein is a Trained Graduate Teacher (TGT) in Commerce at TSWRS & JC, Narsampet, Warangal District on deputation at TSWRS & JC, Garrepally, Karimnagar District. The 2nd respondent – Secretary, issued a show-cause notice bearing Rc.No.Z-V/61015/2015-9, dated 19.02.2016, asking the petitioner to show-cause as to why disciplinary action should not be initiated against him by awarding punishment of ‘*Stoppage of two Annual Grade Increment without Cumulative effect*’ on the alleged ground of showing poor academic performance of the institution. In response to the said show-

cause notice dated 19.02.2016 issued by the 2nd respondent, petitioner herein submitted an explanation dated 27.02.2016. In the said explanation, according to the learned counsel for the petitioner, petitioner herein brought to the notice of the 2nd respondent various aspects and according to which, no further action is warranted.

4. It is the contention of the learned counsel for the petitioner that in view of the said explanation offered by the petitioner, no further action is permissible.

5. This Court is not inclined to meddle with the impugned action at this stage, as the petitioner herein already submitted his explanation to the show-cause notice and is pending consideration.

6. For the aforesaid reasons, Writ Petition is disposed of, directing the respondents herein to take into consideration the explanation dated 27.02.2016 submitted by the petitioner herein before proceeding further in the matter.

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

A.V.SESHA SAI, J

11.04.2016
SS