

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 17938 of 2016

Order:

The petitioner is a Conductor who joined the first respondent-Corporation in the month of March 1990 on casual basis. Subsequently, his services were regularized in the month of August, 1990. While he was on duty on 12.02.2016 the Security Guard conducted breath analyzer check and found an adverse reading. Based on the said finding the Security Assistant Sub-Inspector submitted a report to the second respondent-Depot Manager on 12.02.2016. Based on the said report the second respondent-Depot Manager issued a charge sheet-cum-suspension order dated 20.02.2016 levelling two charges. An enquiry was conducted after submission of explanation by the petitioner on 25.02.2016. After submission of the report by the Enquiry Officer a show cause notice for removal was issued on 18.05.2016 and the same was received by the petitioner on 25.05.2016. Challenging the said show cause notice, the present Writ Petition is filed.

2. Since the show cause notice was issued pursuant to an enquiry report, this Court is not inclined to entertain the present Writ Petition, but, however, gives liberty to the petitioner to submit a detailed explanation to the said show cause notice within a period of one week from today and after receipt of the said explanation it is open to the disciplinary authority to pass appropriate orders in accordance with law. It is made clear that the disciplinary authority shall not pass an order without receiving the explanation from the petitioner within one week from today. If the disciplinary authority has already passed an order the same shall be rescinded.

3. The Writ Petition is, accordingly, disposed of. However, in the circumstances, no costs.

4. As a sequel thereto, the miscellaneous applications, if any, pending in this Writ Petition shall stand closed.

A.
Date: 08.06.2016
Nsr

RAMALINGESWARA RAO, J