

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.17711 of 2016

ORDER:

1. After adjourning this matter on 07.06.2016 for the record, the learned Standing Counsel for the 3rd respondent produced before this Court the record of the case.

2. The petitioner was appointed as Junior Assistant on 19.04.2001 and posted in Bhadrachalam temple. He was promoted as Senior Assistant on 01.04.2010 and was transferred to Sri Lakshmi Narasimha Swamy Vari Devasthanam, Yadagirigutta. He was again promoted as Office Superintendent on 21.08.2013. While so, when an order dated 13.05.2016 was passed by the 3rd respondent reverting him to the post of Senior Assistant, the same is challenged in the present writ petition.

3. A reading of the impugned order shows that the petitioner has not been discharging his duty diligently and he was negligent. The record produced before this Court did not show any enquiry conducted against the petitioner in respect of the allegations levelled against him resulting in passing of the impugned order. In the absence of any enquiry, this Court is satisfied that the impugned order suffers from violation of principles of natural justice and also the service rules applicable to the petitioner.

4. In the circumstances, the impugned order in Rc.No.A1/70/2015 dated 13.05.2016 passed by the 3rd respondent is set aside. However, liberty is given to the 3rd respondent to take appropriate proceedings against the petitioner if he feels that action had to be taken against the petitioner.

5. The Writ Petition is accordingly allowed. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

14-06-2016

Gsn