HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.29758 of 2016

ORDER:

1. The petitioner is a driver working in the 1st respondent corporation. He was appointed in 1997 on casual basis at Narayanapet depot, Mahabubnagar District. Thereafter, his services were regularized on 01.08.2000. When he was performing the duty on Shadnagar-Hyderabad route, the bus met with an accident on 02.08.2016 at about 8.30 A.M. at Gollapalli village involving a pedestrian. The pedestrian, who was hit by the bus, later on died. A charge sheet was issued on 16.08.2016 in respect of the said accident and the petitioner submitted his explanation on 23.08.2016 denying the charge. However, when the petitioner was placed under suspension by the impugned order dated 16.08.2016, the present writ petition is filed.

2. The charge levelled against the petitioner reads as follows:

> "For having driven the Bus No. AP 28Z 0724 in negligent manner without taking precautionary measures and caused accident with pedestrian by name Sri Soora Srinivasulu, aged 38 years, on 02.08.2016 at Gollapally village on the route Afjalgunj to Nirdavelli, wherein the pedestrian received blood head injuries and died after three days while getting treatment at Osmania General Hospital, Hyderabad, which constitutes to misconduct under Regulations 28(ix) (a) and 28(ix) (b) of T.S.R.T.C. Employees Conduct Regulations, 1963."

3. In view of the nature of the charge, it is for the respondents to conduct enquiry and take necessary action in accordance with law. When an enquiry is proposed against the petitioner, this Court cannot interfere with the order of suspension in view of the nature of the charge.

4. In the circumstances, the Writ Petition is dismissed. However, the respondents are directed to complete the enquiry against the petitioner and pass appropriate orders thereon in accordance with law within a period of three months from the date of receipt of a copy of this order. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

02-09-2016
Gsn