

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

WRIT PETITION No.13346 of 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue writ of Mandamus to declare the Proceedings No.02/95(05)/2016-PVL dt:04.04.2016 of the 2nd respondent removing the petitioner from service as conductor and also treating the suspension period as not on duty as illegal, unjust, arbitrary, malafide and against service regulations and consequently set aside the Proceedings No.02/95(05)/2016-PVL dt:04.04.2016 of the 2nd respondent with further direction granting continuity of service and attendant benefits.”

Heard Sri L.J. Veera Reddy, learned counsel for the petitioner and Sri A. Rama Rao, learned Standing Counsel for respondents.

When the matter is taken up, a preliminary objection with regard to the maintainability of the writ petition is taken by the learned Standing Counsel for respondents contending that as against the orders impugned there is a remedy of appeal under the APSRTC Employees (Conduct) Regulations, 1963 and without exhausting the said alternative remedy the present writ petition has been filed directly before this Court.

In view of the availability of alternative remedy of appeal under the APSRTC Employees (Conduct) Regulations, 1963, this Court is not inclined to entertain the present writ petition.

Accordingly, the writ petition is dismissed. However, it is open for the petitioner herein to avail the alternative remedy of

appeal before the appellate authority as per the APSRTC Regulations. If any such appeal is filed, the appellate authority shall make an endeavour to dispose of the same, as expeditiously as possible.

Miscellaneous Petitions pending, if any, shall stand closed.
There shall be no order as to costs.

A.V. SETHA SAI, J

April 21, 2016

Note: Furnish C.C. in two (2) days. B/o.Pn

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