

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.35627 of 2016

ORDER:

This writ petition is filed challenging the impugned show-cause notice in proceedings in Roc.No.EB1/43/TTDECCS/2004, dated 14-10-2016 issued by the 3rd respondent predetermining the petitioner's reversion to the post of Attender from L.D.Typist after lapse of four years from the date of ratification by the Board of Directors, by issuing a notice simply on the ground of third party complaint, as illegal, arbitrary and without jurisdiction and in violation of principles of natural justice and to set aside the same, and consequently direct the respondents to continue the petitioner in the post of L.D.Typist with all consequential benefits.

Learned Senior Counsel, Sri P.Gangaiah Naidu for the petitioner submits that without giving opportunity to the petitioner to show cause that the reappointment as L.D.Typist is irregular, the respondents straightaway issued impugned show-cause notice as to why the petitioner should not be reverted to the post of Attender. As such, the said impugned show-cause notice is without jurisdiction.

On the other hand, Sri A.K.Jaya Prakash Rao, learned counsel for the respondents 2 and 3 submits that the impugned notice is only show-cause notice, the petitioner can as well can submit his explanation. As such, no interference is warranted at the stage of show-cause notice.

A perusal of the impugned show cause notice goes to show that it is issued to the petitioner stating why the petitioner should not be reverted to the post of Attender from L.D.Typist. As such, the impugned show-cause notice is set aside. However, it is open for the competent authorities to issue fresh show-cause notice indicating about the irregularity in appointment of the petitioner as L.D.Typist and also about reversion of the petitioner to the post of Attender.

Accordingly, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

24-10-2016

Note:

Issue CC in one week.

B/o.

Nvl