

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.19666 of 2016

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ORDER:

Suspension pending enquiry order dated 16.05.2016 is challenged before this Court on the ground that the suspension has been made on account of political animosity and under the pressure of the opponents of the petitioner in the village.

In support of the writ petitioner, learned counsel for the petitioner submitted that against the petitioner two show-cause notices were issued. In the first show cause notice excess of rice of 0.82 qtls., RG Dal 10 kgs. and sugar 1 kg. were alleged, for which the petitioner submitted her explanation, whereas the second show cause notice was issued making allegations only in relation to distribution of scheduled commodities to the persons, who have left the village in between the period from the year 2011 to August, 2015. Petitioner again submitted a detailed explanation denying the same. However, without considering the same and more importantly without considering the biometric system, which has been adopted by the respondent authorities, the suspension has been made. It is also the contention of the learned counsel for the petitioner that the suspension order itself *prima facie* discloses that suspension was made taking into consideration certain aspects which were never part of the two show cause notices issued to the petitioner.

Learned Government Pleader submits that the petitioner's explanation is already on record and it is only an order of suspension pending enquiry, hence, interference of this Court is not called for.

Having considered the respective submissions and in the facts of the present case that there being no dispute about the specific contention of the petitioner that the suspension order is passed on certain aspects which were outside the show cause notices, *prima facie* the contention of the petitioner that the same is motivated stands

established. In those circumstances, considering the fact that the petitioner had already submitted his explanation, interest of justice would be served if a direction is given for completion of enquiry within a stipulated time.

Accordingly, the writ petition is disposed of directing the respondents to complete enquiry within a period of eight weeks from the date of receipt of a copy of this order. Till passing of final orders pursuant to the enquiry, the suspension order dated 16.05.2016 is kept in abeyance.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions pending in this writ petition, if any, shall stand closed.

CHALLA KODANDA RAM, J

27th June, 2016
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