

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.33909 of 2016

ORDER

This writ petition is filed seeking to declare the Memo dated 17.09.2016 issued by the 2nd respondent, as arbitrary and illegal.

The petitioner joined as Industrial Promotion Officer and is presently working as such in the office of the 3rd respondent. He has been holding the said post for the last 23 years. Now, 18 posts of Assistant Director in Zone VI have been created *vide* G.O.Ms.No.42, Industries and Commerce (II.Sugar and IFR) Department, dated 2.9.2016. Departmental Promotion Committee was constituted and the name of the petitioner was approved. However, before issuing the order of promotion, a complaint was received by the authorities from one J.Gopala Krishna on 9.9.2016 addressed to the 3rd respondent stating that the petitioner demanded money for car subsidy on 16.2.2016. On coming to know about the said complaint, the petitioner submitted a representation on 20.09.2016 clearly giving the chronological events that took place in processing the application of the complainant and stating there was no basis for the said complaint. He also states that Government issued G.O.Ms.No.77, Industries and Commerce (IP & INF) Department, dated 9.10.2015 laying down the operational guidelines for implementing T-Idea policy. In view of the said policy, there is no scope for withholding the

application or demanding money from the complainant. When the said representation was not considered, the present writ petition is filed, challenging the suspension order dated 17.9.2016.

Since the order of suspension is based on a complaint, which has to be investigated by the competent authority, this Court normally does not interfere with the same. However, in view of recommendation of the case of the petitioner for promotion, it is for the competent authority to take over all circumstances in to consideration and consider the case of the petitioner for promotion if there is no hindrance for the same by virtue of the impugned order of suspension.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

30th September, 2016
rkk