

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.21179 of 2016

ORDER:

The petitioner was appointed as a driver in the respondent Corporation on 01.08.1996 and posted to Puttur Depot. While so, on 07.06.2016 while he was on service vehicle No.AP 29 Z 0600 from Tirumala to Chennai, in the return journey at stage No.5, five passengers boarded the bus. Though they were going to Tirupati, one passenger purchased the ticket up to Puttur and the same was reflected in TIM report. Later, one passenger got down at Narayanavanam by-pass and when the vehicle reached near Punnam Hotel, the Headquarters Enforcement Squad checked the service vehicle and submitted a report stating that the petitioner pocketed an amount of Rs.52/-. A charge memo was issued on 08.06.2016 to which the petitioner submitted his explanation on 09.06.2016. Since the same was not satisfactory, a charge sheet was issued on 20.06.2016 and he was placed under suspension. Challenging the order of suspension and the charge sheet, the present Writ Petition is filed.

The charges framed against the petitioner are as follows:

“1. For having failed to follow the standing instructions of the Corporation issue and start. Which constitutes misconduct under Reg.28(xxxi), APSRTC (Conduct) Reg.Act-1963.

2. For having collected an amount of Rs.210/- from the batch of two passengers and issued ticket worth of Rs.102/- to a passenger and a ticket worth of Rs.56/- to another passenger, though collected the requisite fare of Rs.102/- to each passenger. Thus you have pocketed an amount of Rs.52/- while you were performing Chennai to Tirumala duty on 08.06.16 which constitutes misconduct under Reg 28(x) of APSRTC Employees (Conduct) Reg.1963.

3. For having closed the stage upto Puttur (Stage No.3) in the TIM without issuing correct ticket to the passenger which constitutes mis-conduct under Reg.28(xxxii) of APSRTC Employees (Conduct) Reg.1963.”

In view of the nature of the allegations and the charges, as

extracted above, this Court is not inclined to interfere with the order of suspension nor the enquiry at this stage. It is stated across the bar that the petitioner submitted his explanation on 27.06.2016 and the enquiry is pending. In view of the same, the respondents are directed to conduct the enquiry and complete the same, within a period of three months from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

30.06.2016
vs