

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.34894 of 2016

ORDER:

Heard the learned counsel for petitioner and Ms.K.Udaya Sri,
learned Standing for respondents.

2. Petitioner has assailed the memo dt.28-09-2016 issued by the
2nd respondent suspending the petitioner on the allegation that he has
arranged fake/forged documents for another employee for obtaining a
House Building Advance.

3. Though learned counsel for petitioner contends that the order
does not indicate that it is a case of suspension pending enquiry, the
fact that the same order mentions about subsistence allowance
establishes that it is a case of suspension pending enquiry.

4. Learned counsel for petitioner further contended that the
competent authority to suspend the petitioner is the Chief Engineer
and that the order has been passed by the Chairman and Managing
Director. Since the person who passed the order of suspension of
petitioner is superior in rank to the competent authority, I do not find
any irregularity in the exercise of power by the Chairman and
Managing Director of the 1st respondent in suspending the petitioner.

5. Learned counsel for petitioner also contended that the very
allegation made against petitioner is false and that petitioner *prima*
facie cannot be suspended on that ground. Whether petitioner is

actually guilty of the allegation made against him is a matter for enquiry, which is yet to commence. At this stage, it is not possible to give any advance ruling on the innocence or guilt of petitioner.

6. Therefore, I do not find any merit in the Writ Petition and it is accordingly dismissed. No costs.

7. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 18-10-2016
Vsv/*

