

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

[Special Original Jurisdiction]

TUESDAY THE FOURTH DAY OF JULY
TWO THOUSAND AND SEVENTEEN

PRESENT
HONOURABLE SRI JUSTICE SURESH KUMAR KAIT
AND
HONOURABLE SRI JUSTICE U. DURGA PRASAD RAO

WRIT PETITION No. 21701 OF 2017

Between:

The Commissioner & Director of Intermediate Education
Nampally, Hyderabad & Ors. ... Petitioners

V/s.

N. Srinivas & Anr. ... Respondents

Counsel for the Petitioners : Govt. Pleader for Services [TG]

Counsel for the Respondent : None appeared

The court made the following: : [order follows]



HON'BLE SRI JUSTICE SURESH KUMAR KAIT
A N D
HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

WRIT PETITION No. 21701 OF 2017

ORDER : (*Oral, Per the Hon'ble Sri Justice Suresh Kumar Kait*)

This writ petition is filed by the petitioners invoking the inherent jurisdiction of this Court under Article 226 of the Constitution of India seeking writ of certiorari calling for the records relating to and connected with the order dated 14/3/2011 passed by the A.P. Administrative Tribunal, Hyderabad, in O.A.No. 8389 of 2008 and to set aside the same by holding as contrary to law and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

2. Heard the learned Government Pleader for Services [TG] appearing on behalf of the petitioners and none appeared on behalf of the first respondent.

3. Vide this writ petition, the petitioners seek a direction thereby to set aside the order dated 14/3/2011 passed by the A.P. Administrative Tribunal, Hyderabad in O.A.No. 8389 of 2008. We note that vide the aforesaid order, the learned Tribunal set aside the impugned order dated 25/9/2007 issued by the first petitioner herein removing the first respondent herein from service. The learned Tribunal directed the petitioners to reinstate the first respondent

herein into service with all consequential benefits. However, it is clarified by the learned Tribunal that the order passed by it shall not preclude the petitioners herein from initiating disciplinary action from the stage of conducting disciplinary enquiry on the charge memo already issued after reinstating the first respondent, if they chose to do so within a period of four weeks from the date of receipt of a copy of the order.

4. As stated by the learned counsel for the petitioners that fresh disciplinary action has not been initiated against the first respondent herein. The present writ petition is filed after a lapse of more than six years, which is hit by Section 5 of the Limitation Act. The writ petition fails and is liable to be dismissed on the ground of delay of laches.

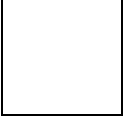
5. The writ petition is accordingly dismissed *in limi ni* at the stage of admission. No order as to costs.

6. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE SURESH KUMAR KAIT

JUSTICE U. DURGA PRASAD RAO

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE JUSTICE U. DURGA PRASAD RAO**



WRIT PETITION No. 21701 OF 2017

*(Order of the Division Bench delivered by
Hon'ble Sri Justice Suresh Kumar Kait)*



Date. 04-07-2017
Court Master: I s L
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