

**HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

**WRIT PETITION No.27087 OF 2017**

**ORDER:**

This writ petition is filed against the proceedings dated 20.07.2017 issued by the 3<sup>rd</sup> respondent in Rc.No.65/A2/2016, suspending the petitioner from service as School Assistant (English) in Zilla Parishad High School, Somangurthy Village, Pudur Mandal, vikarabad District, on the ground of registration of criminal case against the petitioner in Cr.No.226/2016 under Sections 494, 496, 506 read with 34 IPC and Sections 9 & 10 of Child Marriage Act, 2006.

Learned counsel for the petitioner submits that registration of aforesaid crime against the petitioner is nothing to do with the official duties of the petitioner and that charge sheet was also filed in the said crime and the same is numbered as C.C.No.486 of 2017, as such question of tampering with the evidence or influencing the witnesses does not arise. He also submits that without considering the said aspects, the 3<sup>rd</sup> respondent passed the impugned order. In support of his contentions he relied on the Judgment of this Court in ***P.Rajender v. Union of India and another***<sup>1</sup>.

Heard learned Government Pleader for Services.

The Division Bench of this Court in the aforesaid Judgment (***P.Rajender v. Union of India and another***) relied on by the petitioner, set aside the suspension order and allowed the writ

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<sup>1</sup> 2001(5) ALD 290 (DB)

petition in similar circumstances. In the said case also suspension is ordered against the petitioner therein on the ground of filing of case against him for the offences under Section 497 and 498/A IPC, after charge sheet has been filed. In view of the same, following the said Judgment, the impugned order dated 20.07.2017 passed by the 3<sup>rd</sup> respondent is set aside and the writ petition is allowed. No order as to costs.

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

16.08.2017

Note: Issue CC by one week.

B/o.tk

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**A.RAJASHEKER REDDY,J**

