

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 12413 of 2017

Date : 19.4.2017

Between :

Sirimalla Sridhar S/o Thukaram
R/o Flat No. 112, Sai Ammu Residency,
Kashibugga, Warangal

Petitioner

And

State of Telangana
Rep by its Principal Secretary,
School Education Department,
Secretariat Buildings, Hyderabad and others

Respondents

The Court made the following:



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ORAL ORDER:

On the reading of the averments made in the affidavit filed in support of the writ petition and complaint filed by the petitioner, it appears, there is civil dispute between petitioner and respondents 4 and 5. It is the grievance of the petitioner that even though, petitioner obtained an injunction order in the pending suit, in violation of the injunction orders, respondents 4 and 5 dismantled iron poles erected on the private property claimed by the petitioner. Alleging such illegal action, petitioner lodged complaint with the Hasanparthy police station on 30.5.2016 and the same was registered as Crime No. 112 of 2016. On the very same issue, petitioner complained to the District Educational Officer on 14.11.2016 to take action against respondents 4 and 5 and alleging inaction on the part of the District Educational Officer, this writ petition is filed.

2. The facts noted above, would clearly disclose that there is interse dispute between petitioner and respondents 4 and 5 and it is not established as of now that the injunction order was violated and some illegal action was committed by respondents 4 and 5. Further more, what is alleged is outside employment. There is no allegation of committing any misconduct by them while discharging their duties and responsibilities. It appears, so far, investigation is not completed, nothing concrete is established and the allegation against the respondents 4 and 5 is outside the employment, which does not calls for attention of the employer.

3. Thus, based on mere complaint of the petitioner of alleged violation of the injunction order granted by the civil Court, no direction can be issued to the employer to take action against its employees. The issue raised in the writ petition is premature. The writ petition is accordingly dismissed. It is needless to observe that as and when investigation is completed and something is established against respondents 4 and 5, it is open to the petitioner to bring the

same to the notice of the employer and ultimately it is for the employer to take appropriate action, as warranted by law. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

DATE:19.4.2017
TVK

P NAVEEN RAO,J



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