

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

WRIT PETITION No.21885 of 2017

ORDER:

This Writ Petition has been filed by the petitioner challenging the order dt.21-04-2017 passed by the 3rd respondent terminating the services of petitioner as Technical Assistant.

2. Learned counsel for petitioner contends that though 15 charges have been framed against petitioner, the explanation of the petitioner to each charge has not been considered though it is extracted in the impugned order and no reasons have been assigned by the 3rd respondent why explanation given by petitioner to each of the charges is not acceptable.

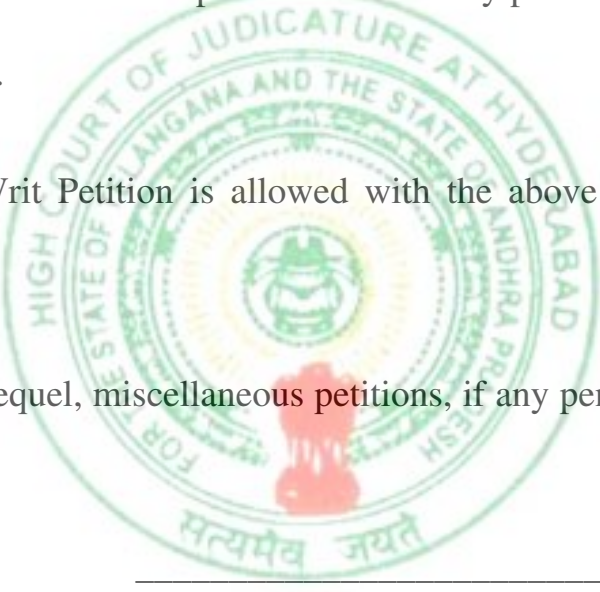
3. Though Sri M.S.R. Chandra Murthy, learned Standing Counsel for respondent Nos.2 to 4 sought to support the order passed by 3rd respondent, there is no material on record against petitioner warranting to pass the impugned order by 3rd respondent. It is clear from the impugned order that the explanation of petitioner to each of the charges has not been considered by 3rd respondent though it has referred to and no reasons are assigned as to why the explanation offered by petitioner to each of the charges, is not acceptable. Being a quasi-judicial authority, the 3rd respondent is bound to give reasons for passing any order adverse to the petitioner on the basis of the charges framed against petitioner. His order cannot

be supported either by counter-affidavit or by oral submissions made in the Court on the basis of material which is not referred to or considered by the 3rd respondent while passing the impugned order.

4. Therefore, the impugned order dt.21-04-2017 passed by the 3rd respondent is set aside and the matter is remitted back to the 3rd respondent to pass a fresh reasoned order within six (06) weeks from the date of receipt of a copy of this order after applying his mind to the explanation offered by petitioner to each of the charges.

5. The Writ Petition is allowed with the above directions.
No costs.

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



JUSTICE M.S.RAMACHANDRA RAO

Date: 07-07-2017

Vsv