

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 29604 OF 2017

ORDER :

This writ petition is filed seeking writ of mandamus declaring the impugned Proc.Rc.No.A2/650/2016, dated 03.08.2017 issued by the 1st respondent in so far as posting the petitioner on reinstatement to ZPHS Lingal, MP Lingal instead of from ZPHS (B) Vangoor, where the petitioner is working at the time of placing him under suspension as illegal and arbitrary and consequently to hold that the petitioner is entitled for posting at ZPHS, ((B), Vangoor on reinstatement to duty in terms of the policy of the Government.

It is the case of the petitioner that he was suspended by the 1st respondent vide proceedings dated 04.01.2017 and by proceedings issued by the 1st respondent dated 03.08.2017, he was reinstated into service. That after his reinstatement, he was posted at ZPHS, Lingal, MP Lingal. As such, he made a representation on 21.08.2017 for posting him at the same place where he was placed under suspension. As the same is not being considered, present writ petition is filed.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Services.

Learned Assistant Government for Services, on instructions, submits that since there was an allegation that

the petitioner is not attending the school regularly at the place from where he was suspended, petitioner was posted at different place.

In this case, it is to be seen that it is for the competent authority to consider the representation of the petitioner in accordance with the Rules.

In view of the same, without expressing any opinion on the merits of the case, the respondents-competent authority is directed to dispose of the representation of the petitioner dated 21.08.2017 in accordance with Rules and take action accordingly. If subsistence allowance is not paid to the petitioner for the period under suspension, the competent authority is directed to pay the same as per Rules in force, within a period of four (4) weeks from the date of receipt of a copy of this order.

With the above direction, this writ petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand dismissed.

A.RAJASHEKER REDDY, J

11-09-2017
kvs

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.29604 OF 2017



Date: 11.09.2017

kvs