

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 700 of 2017

Date :2.2.2017

Between :

Meesala Vijaya Kumar S/o Ramuloo
Govt Institute of Printing Technology
SEcunderabad

Petitioner

And

The State of Telangana
Rep by its Principal Secretary,
State Board of Technical Education,
Secretariat, Hyderabad and others

Respondents

The Court made the following:



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ORAL ORDER:

Petitioner was arrested in connection with Crime No. 269 of 2016 of P.S.Nallakunta, Cyberabad on 25.10.2016. When the factum of his arrest and detention for more than 48 hours was informed to the competent authority, the competent authority vide proceedings No. G/9002/2016 dated 2.11.2016 passed orders placing the petitioner under suspension from the date of his arrest.

The only ground of challenge in this writ petition against the said order of suspension is that the petitioner is not in custody for more than 48 hours and therefore, the order of suspension is illegal and liable to be set aside.

Learned Government Pleader produced remand certificate issued by the Superintendent, Central Prison, Hyderabad dated 17.1.2017, which discloses that the petitioner was remanded to prison on 25.10.2016 at 7.00 PM and was released on bail on 27.10.2016 at 8.45 PM. This clearly shows that the petitioner was in custody for more than 48 hours. Once a person is in custody for more than 48 hours, the order of suspension is deemed to have come into effect from the date of such detention. Order impugned only confirms such detention and gives effect to deemed clause incorporated in Rule 8 of A.P. Civil Services (CCA) Rules, 1991. Having regard to the same, I do not see any merit to entertain the writ petition. Writ Petition is accordingly dismissed. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 2.2.2017
TVK

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