

**IN THE HIGH COURT OF JUDICATURE, AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH**

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NOS . 13441, 13489 & 13494 OF 2017

W.P.NO. 13441 OF 2017

Between:

G. Janakinadh, S/o Late G A Rama Rao, aged about 53 years, Inspector of
Factories

....Petitioner

A n d

State of Telangana represented by its Principal Secretary, Labour Employment,
Training & Factories Department

....Respondent

W.P.NO. 13489 OF 2017

Between:

Smt Ch. Lakshmi Kumari W/o Srinivasa Rao

....Petitioner

A n d

State of Telangana represented by its Principal Secretary, Labour Employment,
Training & Factories Department

....Respondent

W.P.NO. 13494 OF 2017

Between:

M. Srinivasa Rao S/o M. Subrahmanyam

....Petitioner

A n d

State of Telangana represented by its Principal Secretary, Labour Employment,
Training & Factories Department

....Respondent

DATE OF ORDER: 17.04.2017

HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION Nos . 13441, 13489 & 13494 OF 2017****COMMON ORDER:**

Petitioners are working as Inspectors. By the orders impugned, the Director of Factories placed them under suspension.

2. A reading of the order impugned disclose that the petitioners were required to furnish the information to the Director of Factories as required by the Government, in order to enable the government to respond to the information sought by the Additional Secretary to Government, Labour Department, Government of India, New Delhi. Director took serious view on not furnishing the information as requested, within the time, and therefore, taking their action as grave, placed them under suspension. A reading of the order also shows that the Director of Factories ascertained from the Deputy Chief Inspector of Factories on non furnishing the information before the decision was taken by him. It is contended by learned counsel that the Deputy Chief Inspector of Factories has furnished the information as required and the Director of Factories erred in placing the petitioners under suspension.

3. Learned counsel appearing for petitioners further submits that Mobile Phone conversation with Inspector of the Deputy Chief Inspector of Factories, would show that the information was already furnished.

4. It is not known whether the same is informed to the Director of Factories when he has taken the decision placing the petitioners under suspension. At this stage, counsel appearing for petitioners submits that the petitioners would avail the remedy of appeal before the Government against the decision of the Director of Factories and the Government may be directed to consider their appeal by duly taking note of the memo of the Deputy Chief Inspector of Factories.

5. In terms of Rule 33 of Andhra Pradesh Civil Services (CCA) Rules, an appeal shall lie to the Government against the decision of the Director. Therefore, as the petitioners have right of appeal, petitioners may prefer an appeal before the Appellate Authority and if such appeal is preferred, the Appellate Authority shall consider the appeal duly taking note of the report of the Deputy Chief Inspector of Factories, Hyderabad (Rural) dated 10.4.2017, and pass orders in accordance with law, within a period of four weeks from the date of receipt of a copy of the appeal.

6. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

P. NAVEEN RAO, J

Date: 17.04.2017
KA

Note: Furnish copy in two days.