

THE HON' BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No.7234 of 2013

ORDER:

Heard.

2. The present Writ Petition came to be filed seeking issuance of writ of mandamus declaring the proceedings Rc.No.565/ GC/ 2012-13, dated 22.01.2013, terminating the services of the petitioner as illegal, arbitrary and violation of principles of natural justice.

3. The averments in the affidavit filed in support of the writ petition would show that the petitioner was appointed as Contract Resident Teacher, Hindi at Kasturiba Gandhi Balikala Vidyalayam (K.G.B.V.), Gudur, vide proceedings Rc.No.T4/ GC/ 996/ 2010-I, dated 23.09.2010. It is stated that even after the expiry of one year (the period of contract), the services of the petitioner were continued. While working as Contract Resident Teacher, the petitioner was entrusted with additional duties of Deputy Warden of the said school. On 14.12.2012, the Head Master, Residential Special Training Centre, Gudur, who was also under the control of the Special Officer of the School, requested for providing 14 Kgs. of Palmolein Oil, 2 Packets of Turmeric Powder, 1 Kg. of green gram dal and 1 Kg. of Bobbarlu on loan basis promising to return the same after stocks are released in favour of the school. Since both the schools were under the control of same officer and in order to accommodate the students, the said stocks were released. Basing on the complaint given, a show cause notice was issued to the petitioner on 28.12.2012, asking her to explain as to why she should not be removed from the service for taking the provisions outside the school without prior permission. An explanation came to be submitted on 09.01.2013. Thereafter, the petitioner was issued with proceedings on

22.01.2013, terminating her services with immediate effect. Challenging the same, the present writ petition came to be filed.

4. By an order dated 12.03.2013, this Court directed the learned Government Pleader to instruct the Project Officer, ITDA to conduct an enquiry into the matter and submit his findings to the Court. Subsequently, on 16.04.2013, the Project Officer, ITDA, was present before the Court. On 10.06.2013, learned Government Pleader stated across the Bar that the enquiry report of the enquiry officer is made available to the petitioner. Therefore, the second respondent may be directed to proceed with the matter, in accordance with law.

4. A counter came to be filed in the month of April, 2013, stating that enquiry officer was appointed to enquire into the matter and said report was also annexed to the counter. It is to be noted that the relief sought for by the petitioner was to declare the order of terminating the services of the petitioner, as illegal and arbitrary. In view of the subsequent developments in the matter, the writ petition is dismissed giving liberty to the petitioner to avail remedies available under law, namely challenging the enquiry report, if any. No costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

24.04.2017
vnb