

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

W.P.No.23402 of 2017

ORDER:

Heard the learned counsel for the petitioner and Sri S.V Ramana, learned Standing Counsel for respondents.

2. Petitioner has filed this Writ Petition assailing the orders dt.28-06-2017 placing the petitioner under suspension on the ground that the petitioner had collected a sum of Rs.150/- from a passenger in excess of the charge for the baggage/luggage and that it amounts to illegal gratification. A charge memo dt.18-06-2017 has also been issued to the petitioner.

3. Learned counsel for the petitioner contends that impugned order of suspension has been passed without application of mind and that the material available with the respondents itself disclosed that the petitioner did not seek any illegal gratification and that the passenger himself voluntarily forced the petitioner to take the amount of Rs.150/- extra for the luggage.

4. It is settled law while dealing with the orders of suspension in a Writ Petition filed under Article 226 of the Constitution of India, this Court is not empowered to go into the correctness of the allegations leveled against an employee by the employer on the basis of which the order of suspension is imposed.

5. Having regard to the allegations against the petitioner, which if proved, would entail serious consequences, I am satisfied that the 2nd respondent was entitled to place the petitioner under suspension pending enquiry.

6. Therefore, the Writ Petition is dismissed at the admission stage. No costs.

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

JUSTICE M.S.RAMACHANDRA RAO

Date: 14-07-2017
kvr

