

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

WRIT PETITION No.18672 of 2017

ORDER:

Heard the learned counsel for petitioner and Sri P.V.V.Satyanarayana, learned Standing Counsel for 1st respondent.

2. This Writ Petition is filed by petitioner aggrieved by the action of 1st respondent in granting the petitioner extremely short time of 7 days for submitting explanation to the charge memo dt.01-06-2017 issued to him and also simultaneously directing the Finance Department not to draw and disburse the salary of petitioner for the month of May, 2017.

3. Learned counsel for petitioner contends that the time granted to submit explanation is very little and that the direction to the Finance Department not to draw and disburse petitioner's salary for the month of May, 2017 indicates *mala fide* intention of 1st respondent and the prejudice which the 1st respondent entertains against the petitioner.

4. Learned Standing Counsel for 1st respondent states that notwithstanding the direction in the proceedings dt.01-06-2017 to the Finance Department not to draw and disburse the salary of petitioner for the month of May, 2017, the 1st respondent relented and the salary of petitioner was deposited in the bank account on 09-06-2017. Learned Standing Counsel for 1st respondent could

not state any special circumstances warranting fixing of a short time of 7 days to submit explanation to the show cause notice dt.01-06-2017 issued to the petitioner.

5. I am also of the opinion that the direction of the 1st respondent to the Finance Department not to draw and disburse the salary of petitioner for the month of May, 2017 was highly improper and unknown to service jurisprudence and such a direction ought not to have been issued by 1st respondent.

6. Therefore the Writ Petition is allowed and the petitioner is granted three (03) weeks time from today to submit explanation to the show cause notice dt.01-06-2017 issued to him by the 1st respondent and the 1st respondent is directed to consider the same and proceed further, if he so chooses. No costs.

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

JUSTICE M.S.RAMACHANDRA RAO

Date: 09-06-2017

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