

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.36415 of 2017

ORDER:

The petitioner was appointed as the Mazdoor (Eng) in the year 1993 in the first respondent Devasthanam. On 23.02.2010 he was promoted as the Attender and transferred to S.V.High School, Tirupathi. Thereafter he was transferred to Sri Padmavathi Guest House, Tirumala. It is his case that on 28.01.2014 he met with an accident and he immediately informed to the respondents along with the leave application through his brother-in-law. The Officer on Special Duty though noted the fact of accident, refused to take the leave application. After recovery from the injuries in the month of June, 2014, he reported for duty. But, the Officer on Special Duty refused to take him on duty. On the same day, the petitioner was served with two Memos dated 04.04.2014 and 02.05.2014. Thereafter a show cause notice was issued on 31.03.2015 calling upon the petitioner to explain as to why action should not be taken for punishing with "deemed to have been resigned from service" within fifteen days. The petitioner submitted his explanation on 14.04.2015. Without conducting any enquiry and without considering the explanation, an order was passed on 07.05.2015 imposing the major punishment of "deemed to have been resigned from service". Against the same, the petitioner preferred an appeal to the Board of Trustees, TTD, on

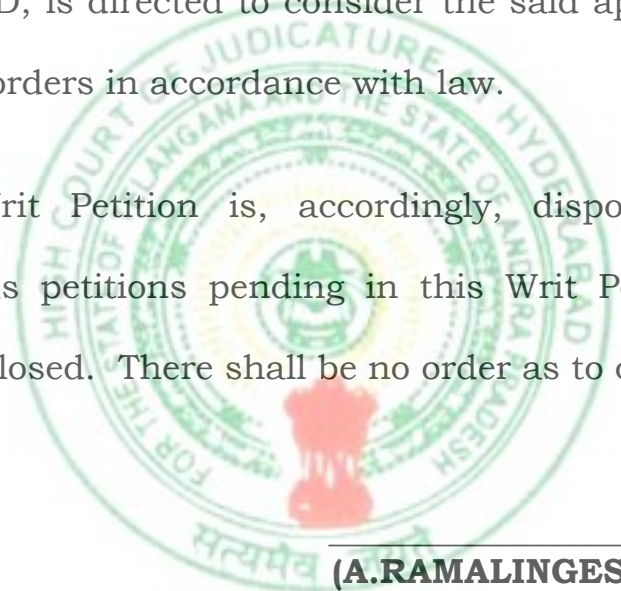
22.05.2015 and when no orders were passed, the present Writ Petition is filed.

It is obvious that after filing the appeal on 22.05.2015, the Board met several times and it should have considered the appeal preferred by the petitioner.

In the circumstances, the first respondent is directed to place the appeal of the petitioner alleged to have been submitted on 22.05.2015 in the next Board meeting, and the Board of Trustees, TTD, is directed to consider the said appeal and pass appropriate orders in accordance with law.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

01.11.2017
vs

The seal of the High Court of Andhra Pradesh, Hyderabad, is a circular emblem. It features a central sun-like symbol with rays, surrounded by a green border containing the text 'HIGH COURT OF ANDHRA PRADESH' and 'HYDERABAD'. Below the seal, the name of the judge is written in bold capital letters.
(A.RAMALINGESWARA RAO, J)