

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.43787 of 2017

ORDER:

The petitioner was appointed as a School Assistant. While he was working as School Assistant (English) in Upper Primary School Rahalapalli, Urukonda Mandal in Nagarkurnool District, he was placed under suspension for his unauthorized absence by proceedings dated 23.08.2017. He submitted a representation to the fourth respondent on 07.11.2017 seeking payment of subsistence allowance from the date of his suspension and he also submitted another representation on 28.11.2017 to the third respondent for reinstatement into service. When those representations were not considered, he filed the present Writ Petition challenging the order of suspension dated 23.08.2017.

A reading of the impugned order of suspension dated 23.08.2017 shows that the petitioner is in the habit of absconding from duties so many times and he was kept under suspension pending departmental proceedings. Though it is stated in the order that the petitioner would be paid subsistence allowance, now the grievance of the petitioner is that he is not being paid the subsistence allowance.

Since the departmental proceedings are pending, this Court is not inclined to entertain the present Writ Petition challenging the order of suspension, but directs the

respondents to complete the enquiry against the petitioner as expeditiously as possible, but not later than three months from the date of receipt of a copy of this order. It is needless to observe that the petitioner shall cooperate with the conduct of enquiry. Till the enquiry is concluded, the petitioner shall be paid the subsistence allowance during the period of suspension, as the subsistence allowance is not a charity, but the right of an employee.

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.

21.12.2017
vs

(A.RAMALINGESWARA RAO, J)

