

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 40359 of 2017

Order:

The petitioner was initially appointed as a Secondary Grade Teacher in the year 1986 and was posted to Banoth Jamlathanda, Warangal district. He was promoted as School Assistant on 21.03.1997 and further promoted as Gazetted Headmaster on 09.06.2011 and posted to ZPHS, Berelli, Thadwai Mandal, Warangal District (now part of Mahabubabad District). When the petitioner was kept under suspension by the fourth respondent by proceedings dated 22.11.2017, the present Writ Petition is filed mainly on the ground that the fourth respondent is not having jurisdiction to keep the petitioner under suspension.

Learned counsel for the petitioner relied on G.O.Ms.No.10, School Education (SER.II) Department, dated 23.01.2009, dealing with the service conditions of Gazetted Head Masters in Zilla Praja Parishad Schools.

The petitioner is admittedly working in Zilla Parishad High School, Chinnagudur, Chinnagudur Mandal, Mahabubabad District, and as per the said rules the appointing authority is the Regional Joint Director of School Education of Zone concerned. Learned Government Pleader could not show any other rule applicable to the case of the petitioner.

In the circumstances, the Writ Petition is allowed and the impugned order dated 22.11.2017, keeping the petitioner under suspension, is set aside. However, this will not prevent the competent authority from taking appropriate action in accordance with law. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 30.11.2017
Nsr

