

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.43438 OF 2017

ORDER:

The petitioner, while he was working as Assistant Executive Officer in the second respondent Devasthanam, was issued a Charge Memo on 11.08.2008 asking him to submit explanation with regard to the charges mentioned therein. The petitioner submitted explanation on 10.10.2008 and he was asked to submit his explanation to CBCID, Tirupati, along with eight other officials working in Devasthanam. In pursuance of the said proceedings, dated 17.10.2008, the petitioner submitted his explanation to the CBCID, Tirupati. After investigation of the case, the CBCID, Tirupati, filed a charge sheet against one Kadiri Venkatachalapathi in the Court of the IV Additional Judicial Magistrate of First Class, Chittoor, which was numbered as C.C.No.246 of 2008 and the petitioner was arrayed as P.W.9 in the said case. The sole accused was convicted by Judgment dated 14.11.2014. In the meanwhile, the petitioner was promoted as Deputy Executive Officer and retired from service on 31.08.2013 after attaining the age of 58 years. In respect of the charges levelled against the petitioner, no enquiry was conducted and the petitioner was allowed to retire from service on 31.08.2013. In view of the pending departmental proceedings, he was allowed to draw only 75% of the pension, as provisional pension, from the date of retirement. Now he states that the charges against other officers were dropped and now Government Orders were also issued vide G.O.Rt.Nos.286, dated 14.03.2017, 840, dated 18.08.2017 and 839, dated 18.08.2017. When the case of the petitioner was not reviewed, he submitted a representation on 17.05.2017 to the first respondent and the first respondent did not take any action on the said representation, the present writ petition is filed.

It is clear from the above facts that a Charge Memo was issued against the petitioner way back on 11.08.2008 and the petitioner submitted

explanation on 10.10.2008 and thereafter, nothing has happened in respect of the said charges. The petitioner cooperated with the prosecution in C.C.No.246 of 2008, which ultimately ended in conviction of the sole accused on 14.11.2014. It is stated that the charges against the similarly situated persons were dropped by issuing separate proceedings.

In the circumstances, the respondents are directed to consider the representations of the petitioner and review his case and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of copy of this order.

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

20.12.2017
pln



A.RAMALINGESWARA RAO, J