

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.43200 of 2017

ORDER:

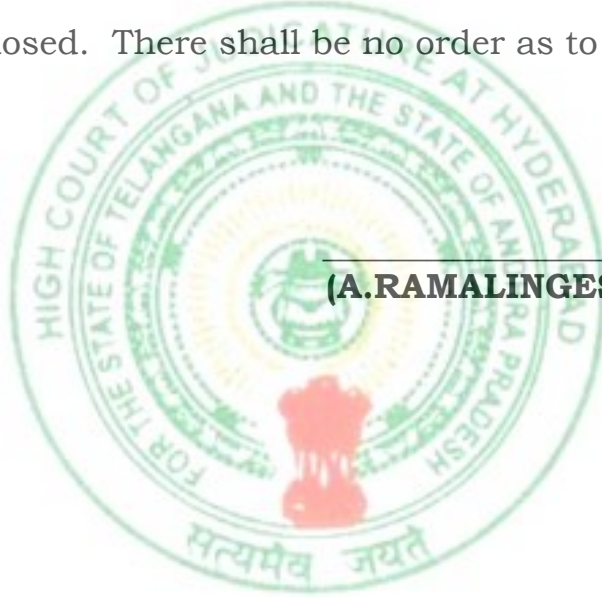
The petitioner was appointed as a Teacher (SGT) on 20.12.1996. It appears that she was absconding from duty from 13.06.2009 to 11.06.2014 and 23.06.2014 to date. In those circumstances a final show cause notice was issued on 12.05.2017 followed by another final show cause notice dated 04.12.2017. Without mentioning several particulars in the affidavit filed in support of the Writ Petition, the petitioner challenged the final show cause notice dated 04.12.2017 in the present Writ petition.

A reading of the impugned show cause notice does not indicate the submission of any reply by the petitioner to the previous final show cause notice dated 12.05.2017 and now the fourth respondent wanted to take proceedings for imposing major penalty on her not availing the long leave with permission and for absconding duty from 13.06.2009 to 11.06.2014 and from 23.06.2014 to date without any permission. Learned Counsel for the petitioner submits that the fourth respondent has already made up her mind and there is nothing for the petitioner to submit in the explanation. He further submits that when a major penalty is sought to be imposed, necessary enquiry has to be conducted.

It is true that when the major penalty is sought to be imposed on the petitioner an enquiry has to be conducted but this Court cannot visualize the order that is going to be passed after completing the enquiry. Since this is a final show cause notice, it is for the petitioner to submit her explanation and face the enquiry, if any. This Court cannot interfere with the show cause notice issued second time on 04.12.2017.

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

19.12.2017
vs



(A.RAMALINGESWARA RAO, J)