

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.40035 of 2017

ORDER:

Heard Sri B. Krishna Mohan, learned counsel for the petitioner and the learned Standing Counsel for the respondents.

The petitioner was appointed as Assistant Lecturer in respondent No.1 university in the year 1986 and he was promoted as a Lecturer/Associate Professor and further promoted as Professor in the said university. He was working as Director of Academic and Planning, JNAFAU, Hyderabad, while holding the post of Professor in the Department of Photography. He further states that he lodged a complaint on 16.05.2016 to the concerned authorities with regard to financial irregularities committed by some officers of the University with regard to utilization of UGC Funds. In view of the same, the then in charge Vice Chancellor passed an Order dt. 01.12.2016 transferring the petitioner, but the same was suspended by this Court in W.P.No.43157 of 2016 by Order dt. 13.12.2016. However, when the matter came up for consideration on 15.11.2017, in view of lapse of time, the said Writ Petition was disposed of giving liberty to respondent No.1 to take into consideration all aspects of the case and pass appropriate orders. After disposal of the said Writ Petition, when an Order was passed on 22.11.2017 by respondent No.1 divesting him in the post of Director of Academic and Planning, but continuing

him as Professor in the Department of Photography, the present Writ Petition was filed.

Since the affected party was not impleaded, this Court directed the petitioner to implead the affected party, who was appointed as Director of Academic and Planning, and accordingly, the petitioner filed W.P.M.P.No.50241 of 2017.

Learned Standing Counsel for the respondents submits that the Letter dt. 27.11.2017 filed by the petitioner clearly shows that the petitioner got relieved on 27.11.2017 though the party, who is now appointed as Director, reported duty on 23.11.2017.

In view of the above facts, it appears that pursuant to the complaint lodged by the petitioner earlier with regard to mis-utilization of UGC Funds, respondent No.2 addressed a Letter to respondent No.3 on 27.02.2017 for conducting enquiry and the petitioner states that the enquiry was not completed and no report was furnished to respondent No.2 so far. The petitioner expressed his willingness to submit a representation for consideration of the Executive Council with regard to his grievance in passing the impugned Order dt. 22.11.2017 divesting him from the post of Director of Academic and Planning.

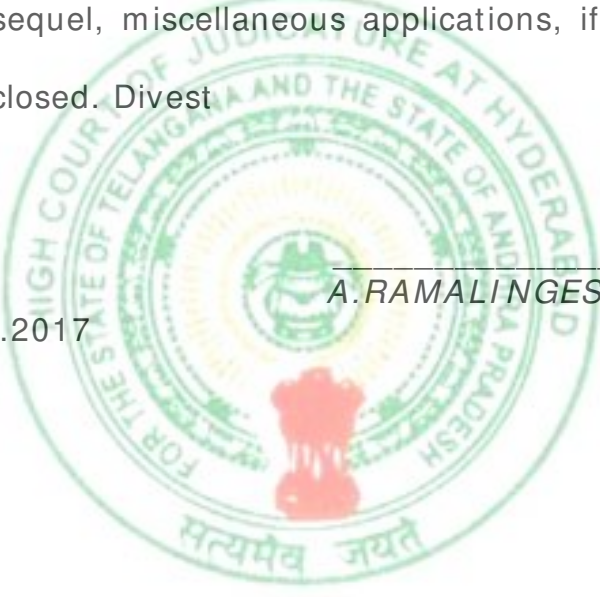
In the circumstances, this Writ Petition is disposed of giving liberty to the petitioner to submit a representation to the Executive Council with regard to the action of divesting him

from the post of Director of Academic and Planning and placing another person in his place. It is needless to observe that the Executive Council shall consider the representation and pass appropriate orders in accordance with law. Since no enquiry was conducted by respondent No.3, pursuant to the Letter of respondent No.2 dt. 27.02.2017, respondent No.3 is directed to complete the enquiry and submit a report to Respondent No.2 as expeditiously as possible, but not later than three months from the date of receipt of a copy of this Order.

As a sequel, miscellaneous applications, if any, pending, shall stand closed. Divest

Date: 30.11.2017

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A.RAMALINGESWARA RAO, J

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Dt.30-11-2017

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