

THE HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON' BLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION No.2310 OF 2018

Date:16.02.2018

Between:

K. Balachander S/ o.Late K.Ramu,
Age 38 years, Occ: (I Additional Junior Civil Judge-cum
VI Metropolitan Magistrate), cyberabad, Medchal, R.R.Dist.

...Petitioner

Vs.

The High Court of Judicature at Hyderabad
For the State of Telangana and the State of Andhra Pradesh,
Rep. by Registrar (Vigilance), Hyderabad and another

... Respondents

Counsel for

: Sri L. Ravichander,
Senior Advocate, for Mahesh Raje

Counsel for Respondents

: Sri Swaroop Oorilla

Gist

:

Head Note

:

Cases Referred

: Nil



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ORDER: (per V. Ramasubramanian, J)

The petitioner, who is now working as I-Additional Junior Civil Judge cum VI Metropolitan Magistrate, has come up with the above writ petition challenging an order rejecting his request for engaging a counsel to defend himself in the departmental enquiry.

2. Heard Mr.L.Ravinchander, learned Senior Counsel appearing for the petitioner and Mr.Swaroop Oorilla, learned Standing Counsel for the respondents.

3. This Court has already held in its decision dated 07.11.2017 in W.P. Nos.34363 and 35536 of 2017 that though persons like the petitioner are not entitled to seek the appointment of a counsel as a matter of right in departmental proceedings, there are cases which would fall under the exception. It appears from the charge memo and Annexure-II to the charge memo that an officer of the rank of District Judge is sought to be examined as one of the witnesses in the departmental enquiry. On instructions, it was submitted by the learned Standing Counsel that the Administrative Committee has also taken a decision on 20.12.2017.

4. In view of the above, the writ petition is disposed of permitting the petitioner to engage a counsel in the enquiry. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

T. AMARNATH GOUD, J

February 16, 2018
KTL