

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.5759 OF 2018

ORDER :

Petitioner has sought in this Writ Petition a declaration that enquiry conducted by the 3rd respondent pursuant to direction given by respondents 1 and 2 including the report submitted in letter dt.30.05.2016 by the 3rd respondent to be arbitrary, illegal, void and without jurisdiction and to stop the respondents from taking any further action pursuant to the report dt.30.05.2016.

2. There was an allegation leveled against the petitioner by the 8th respondent of sexual harassment, which was enquired into by the 3rd respondent and a report was submitted adverse to the petitioner.

3. Counsel for petitioner contends that the 8th respondent resigned from her job and thereafter leveled her complaint and the complaint therefore ought not to have been entertained at all.

4. The 3rd respondent in his report dt.30.05.2016 has recorded that the petitioner had avoided the enquiry by him and had not attended the same but kept on sending material by registered post and e-mail.

5. After perusing the nature of allegations leveled against the petitioner and the findings of the 3rd respondent in the enquiry, it appears that *prima facie* a case has been made out against the petitioner under the said statute.

6. Therefore, I am not inclined to interfere with the action proposed against the petitioner by the respondents 1 to 6 under the provisions of the Sexual Harassment of Woman at Workplace (Prevention, Prohibition and Redressal) Act, 2013 or otherwise.

7. Accordingly, the Writ Petition is dismissed at the admission stage. No order as to costs.

8. Consequently, Miscellaneous Petitions pending if any, shall stand closed.

22nd February, 2018.

gra

M.S. RAMACHANDRA RAO, J

