

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 12857 OF 2018

ORDER:

This Writ Petition is filed challenging the proceedings of the 3rd respondent vide No.12/A2/2017, dated 17.03.2018 wherein and whereby the services of the petitioners, who are working as Anganwadi Teachers, were terminated on the ground of illegal transportation of food in night time, without any notice and without any opportunity of being heard.

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Services appearing for respondents.

Learned counsel for the petitioners submits that initially petitioners were placed under suspension vide proceedings dated 20.10.2017 of the 3rd respondent. He submits that the impugned order dated 17.03.2018 was passed without issuing any show-cause notice and without affording any opportunity of hearing to the petitioners, which is in violation of principles of natural justice.

Learned Assistant Government Pleader for Services submits that enquiry was conducted and basing on the enquiry report only, the impugned order has been passed.

A perusal of the impugned order dated 17.03.2018 goes to show that no notice was issued to the petitioners and there is no reference about issuing of notice to the petitioners. Though preliminary enquiry is conducted, but it cannot be a basis for

termination of the petitioners from service, without following the due procedure.

In view of above facts and circumstances, the impugned order dated 17.03.2018 is set aside only on the ground of violation of principles of natural justice. However, this order will not preclude the competent authority from taking action, in accordance with law.

Accordingly, this Writ Petition is allowed. There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

20-04-2018
kvs



A.RAJASHEKER REDDY,J

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Date: 20.04.2018

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