

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITON No.12786 OF 2018

O R D E R:

This petition is filed for a writ of *Mandamus* declaring the action of the 3rd respondent in issuing the proceedings in Rc.No.1198/B2/2018, dated 06.04.2018, keeping the petitioner under suspension without issuing any notice and without any application of mind, as illegal and arbitrary and to set aside the same and for a consequential direction to the respondents to reinstate the petitioner into service with all consequential benefits.

Learned counsel for the petitioner submits on the same allegations, earlier, petitioner was transferred, and challenging the same petitioner filed WP.No.8400/2018 and this Court passed interim suspension on 14.03.2018 and on the same petitioner was continued in the same place. But, again, on the same allegations, impugned proceedings are issued suspending the petitioner, which is punitive in nature. He further submits that the respondents, only basing on the confession statement made by the correspondent, issued impugned order without issuing any notice.

On the other hand learned Assistant Government pleader for Services submits that since serious allegations are alleged against the petitioner, he was suspended pending

enquiry. The truth or otherwise of the allegations will be gone into the enquiry to be conducted.

It is to be seen that ordinarily this Court will not interfere with the order of suspension unless the same is without jurisdiction.

No doubt, when transfer order is passed, this Court granted interim direction. But, the present impugned order is passed suspending the petitioner basing on the serious allegations unlike transfer order, which is punitive in nature. Though learned counsel for petitioner denied the same, that aspect cannot be enquired in the writ petition, at this stage. In view of the same, I do not see any reason to interfere with the order of suspension.

Accordingly, the writ petition is dismissed. No order as to costs.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

13.04.2018
tk