

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.13367 of 2018

ORDER:

This writ petition is filed challenging the proceedings dated 24-02-2018 in File No.DWMA-SAVOMPH(DTF)/09/2018-APE(DWMA)-DWMAKRNL, dated 24-02-2018 issued by the 4th respondent suspending the petitioner from service.

Learned counsel for the petitioner submits that the impugned order is vague without any specific charge and there is no basis for passing the impugned order and the same is without application of mind and facts and circumstances of the case does not warrant suspension of the petitioner pending enquiry.

On the other hand, Sri M.S.R.Chandramurthy, learned Standing Counsel submits that basing on the report of social audit team on the allegation that the petitioner involved in misappropriation of public funds, the impugned order of suspension was passed. He submits that truth or otherwise of the allegations will be gone into the enquiry.

In this case, it is to be seen that ordinarily this Court will not interfere with the order of suspension, unless the same is without jurisdiction or arbitrary. But in the present case, the allegation of misappropriation is made against the petitioner basing on the report of social audit team dated 12-12-2017. The truth or otherwise of the allegations as contended by learned Standing Counsel can be gone into the enquiry.

In view of the same, I do not see any illegality or arbitrariness in the order of suspension pending enquiry warranting interference of this Court. However, the competent authority is directed to conclude the enquiry within a period of six weeks from the date of receipt of a copy of this order. Till then, the post held by the petitioner shall not be filled-up by any other person.

With the above observations, the writ petition is disposed of. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

18-04-2018
Nvl

A.RAJASHEKER REDDY,J





