

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.21381 of 2018

DATED : 10.07.2018

Between :

Smt. V.Jhansi Rani W/o.V.R.Prasad Rao,
Aged about 51 yrs, OCcu : Secondary Grade Teacher
(u/s) Ladies Societies Girijana Aided Elementary School,
Vasantarayapuram, Arundelpet, Guntur District.
.. Petitioner

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Education (PE-PS-I), Department,
Secretariat, Velagapudi,
Amaravathi, Guntur District & others.
.. Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioner is a Secondary Grade Teacher of Ladies Societies Girijan Aided Elementary School (5th respondent). By order dated 02.09.2010, the management of 5th respondent, placed the petitioner under suspension. The District Educational Officer, Guntur, vide his proceedings dated 30.11.2010 observed that the Commissioner & Director of School Education directed him to instruct the Correspondent to admit the petitioner into service immediately and to pay the salaries. On the same day, he passed further orders to pay the salaries from the management fund for the gap period and to regularize the break period.

3. Aggrieved thereby the management preferred appeal and the Government suspended the orders of the District Educational Officer, dated 30.11.2010 and matter is pending at that stage. Aggrieved by long suspension and keeping the appeal pending, petitioner earlier filed W.P.No.40913 of 2014. This Court by order dated 31.12.2014 disposed of the writ petition directing the Principal Secretary, State of Andhra Pradesh-1st respondent therein to dispose of the appeal within a period of eight (8) weeks. In spite of the above direction, the appeal is not disposed of.

4. Having waited for considerable time, petitioner also submitted representation on 14.03.2018 requesting the appellate authority to consider the appeal expeditiously and to pass appropriate orders. But so far no orders are passed.

5. It is needless to observe that a teacher can be kept under suspension for a maximum period of four months and that too

beyond two months with prior approval of the competent authority. But petitioner continued under suspension for more than eight years and no justification is shown why suspension is not reviewed and the appeal is not disposed of inspite of the directions issued by this Court on 31.12.1014.

6. When the matter is taken up for consideration, learned Assistant Government pleader produced memo dated 28.06.2018 where under the Commissioner of School Education was requested to examine and furnish the report chronologically along with relevant material/records.

7. A reading of this letter do not show any sincerity in attending to the grievance of the petitioner, but obviously, it is generated after having come to know about institution of the present writ petition. Moreover the issue for consideration is only whether suspension is warranted and management has followed due procedure before resorting to suspend the petitioner and continuing him under suspension.

8. The respondent-Government is therefore, directed to expedite the consideration of appeal and to take decision within four (4) weeks from the date of receipt of copy of this order.

9. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

10th July, 2018
Rds