

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.21784 OF 2018

DATED :28.06.2018

Between :

Tangu Subbramanya Reddy S/o.Siva Reddy,
Aged about 34 yrs, Occu : Field Assistant,
R/o.Pandurangapuram Village, Bapatla Mandal,
Guntur District, A.P.

Petitioner

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Secretariat Buildings, Velagapudi,
Amaravathi, A.P. & others.

Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioner is working as Field Assistant. He is aggrieved by the order of suspending him from service.

3. Learned counsel for the petitioner would submit that the order of suspension is made in arbitrary exercise of power and authority; that the said order of suspension is made on the same day on which complaint is filed by the Programme Officer and based on the complaint of villagers dated 11.06.2018, without calling upon the petitioner to file explanation.

4. It is not in dispute that the Project Director is competent to place the field assistant under suspension. A reading of the order would show that the Project Director has considered the report filed by the Programme Officer, wherein certain allegations are leveled against the petitioner of his functioning and also about mis-appropriation. It appears a day before the report was filed, the villagers have also complained. This was the material available with the Project Director and based on the said material, the impugned order is passed. Thus, it cannot be said that there was no application of mind in placing the employee under suspension. Further at the stage of suspension no prior notice need to be afforded to him.

5. At this stage both counsel agree for fixing some time limit to complete the disciplinary action. If the competent authority decides

to initiate disciplinary proceedings against the petitioner, based on the material, resulting in his suspension, the same may be set in motion and be completed by affording due opportunity to the petitioner, as expeditiously as possible, preferably within a period of six (6) weeks from the date of receipt of copy of this order. For any reason, the proceedings cannot be completed within the time fixed, the Project Director is directed to review the desirability of further continuation of suspension of petitioner.

6. With the above observations, 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.

28th June, 2018
Rds

P.NAVEEN RAO,J

