

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.32022 OF 2018

DATED :11.09.2018

Between :

Ch. Ravindra Chary S/o.Pothuloora Chary,
Aged about 44 yrs, Occu : Conductor,
E.No.209496, R/o.Edloor Post & Village,
Kattangur Mandal, Nalgonda District-508205

..

Petitioner

And

T.S.R.T.C.,
Rep., by its Regional Manager,
Ranga Reddy Region, M.G.B.S.,
Hyderabad & another

...

Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner and learned Standing Counsel for TSRTC for respondents.

2. Petitioner is working as conductor. By the order impugned he was placed under suspension and disciplinary proceedings are initiated. Not satisfied with the explanation offered by the petitioner, Enquiry Officer is appointed. At this stage, this writ petition is filed.

3. According to learned counsel for the petitioner, petitioner has already deposited the amount on which allegation is leveled and that he was not on duty when he was found to be in intoxicated condition. Therefore, suspension is not warranted.

4. It is not in dispute that the Depot Manager is competent to place the petitioner under suspension. A plain reading of the order itself would show that on due consideration of the material placed before him, petitioner was placed under suspension and charge sheet was served on him. Thus, it cannot be said that there was no application of mind in placing the petitioner under suspension. Whether petitioner was guilty of the charge leveled against him is a matter for consideration by the disciplinary authority during the disciplinary proceedings. Thus, this Court is not inclined to interfere with the suspension order.

5. The charge sheet levels three allegations. They are (i) not remitting the cash, failing to hand over TIM No.00014795 thus, amounting to misappropriation and; (ii) having found in drunken condition; and (iii) absconding from duty. It cannot be said that the charges are vague or cannot be substantiated *per se* for this Court to interfere at the threshold. This Court cannot go into the nature of charges leveled even before proceedings are concluded and it is a matter for consideration during the course of Enquiry. The Depot Manager is competent to frame the charges and therefore, this Court is not inclined to interfere in the disciplinary proceedings against the petitioner at this stage.

6. At this stage, learned counsel for the petitioner and learned Standing counsel submit that some time limit may be fixed for completing the disciplinary proceedings.

7. Having regard to the submissions made, the Writ Petition is disposed of directing the disciplinary authority to finalize the disciplinary proceedings, as expeditiously as possible, preferably within a period of eight (8) weeks from the date of receipt of copy of this order. Pending miscellaneous petitions shall stand closed.

11th September, 2018
Rds

P.NAVEEN RAO,J