

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 32966 of 2018

Date : 18.9.2018

Between:

G G Phalina D/o Guruju Aged about 59 years Working as  
Headmistress Grade II Govt Tribal Welfare Ashram School B  
Itikalakota Polavaram M West Godavari District

Petitioner

And

The State of Andhra Pradesh  
rep by is Principal Secretary Tribal Welfare Department  
Secretariat Velagapudi Amaravathi Guntur District & others

Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Social Welfare.

2. Petitioner is Head Master Grade II in Government Tribal Welfare Ashram School (Boys), Itikalakota, Polavaram mandal, West Godavari district. By the order impugned dated 26.8.2018 he was placed under suspension.

3. Learned counsel for petitioner contends that one K Srinivas-student left the premises on 15.8.2018 stating the he wants to see his parents and three days after he was found dead.

4. A bare reading of the order of suspension would show that the student who was studying in the school left the premises and thereafter his dead body was found in Irrigation canal. It is not in dispute that the District Collector is competent to initiate disciplinary proceedings and place the petitioner under suspension. Having regard to the death of the student of the residential school where petitioner is Head Master, the competent authority, prima facie, was of the opinion that petitioner was negligent in performing his duties, resulting in death of a student and placed him under suspension. Thus, it cannot be said that there was no application of mind before ordering for suspension of the petitioner from service. Thus, I see no merit in the writ petition and accordingly the same is dismissed. However, at this stage, learned

counsel for petitioner seeks liberty to prefer appeal against the order of suspension. Liberty as prayed for is granted. Notwithstanding the dismissal of the writ petition, if petitioner files an appeal, same shall be considered on merits and appropriate orders as warranted by law to be passed expeditiously. No costs. Miscellaneous petitions, if any pending, are closed.

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P NAVEEN RAO,J

DATE: 18-09-2018  
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