

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT APPEAL NO.1283 OF 2018

JUDGMENT: (per SK,J)

The appellant is the petitioner in W.P.No.25990 of 2018. His grievance therein was that he was placed under suspension under order dated 28.06.2018 by the Telangana State Road Transport Corporation (TSRTC) without perusing his explanation to the Charge Memo. By order dated 31.07.2018, a learned Judge of this Court dismissed the writ petition opining that the disciplinary authority had not resorted to suspension of the petitioner from service in a routine manner.

Though Sri Mohd. Ghouseuddin, learned counsel for the appellant-petitioner, would contend that the charge against his client, a Conductor in the TSRTC, is without basis and that consideration of his explanation to the Charge Memo would have persuaded the disciplinary authority to come to the same conclusion, we are of the opinion that the said issue could not have been looked into at that stage pending enquiry unto the charge levelled against the appellant-petitioner. It is not in dispute that Regulation 18 of the Telangana State Road Transport Corporation (Classification, Control and Appeal) Regulations, 1967, vests the competent authority with the power to place an employee under suspension pending investigation into a grave charge when such suspension is necessary in public interest.

The charge against the appellant-petitioner, a Conductor, is that he committed cash and ticket irregularities. As such a charge amounts to a grave charge in the context of the fiduciary capacity in which a Conductor of the TSRTC would stand in, suspension cannot be said to be not in

public interest. Pending examination of such a grave charge, the TSRTC cannot repose any trust in such a Conductor and allow him to continue to discharge his functions dealing with its revenue. No jurisdictional aspects were raised by the appellant-petitioner assailing the order of suspension. That being so, we find no grounds to interfere with the order of the learned Judge holding to that effect and dismissing the writ petition.

The writ petition is devoid of merit and is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

SANJAY KUMAR,J

M.GANGA RAO,J

Date:26.09.2018

Note:

Furnish C.C. in three days.

(B/o)

GJ

