

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NOs.36594 AND 36630 OF 2018

COMMON ORDER:

These two writ petitions are being disposed of at the stage of admission by way of common order as the issue raised in these two writ petitions is one and the same.

2. In these writ petitions, writ of mandamus is sought for declaring the action of the 3rd respondent in removing the petitioners from service as Home Guards, vide proceedings passed by the Commissioner of Police, Rachakonda as illegal and unconstitutional and sought for consequential direction to the 2nd respondent to dispose of the appeal filed by the petitioners by reinstating the petitioners into service.

3. Heard Sri K.Jagadishwar Reddy, learned counsel for petitioners and Special Government Pleader representing the learned Advocate General for the respondents.

4. It has been contended by the learned counsel for the petitioners that the petitioners were initially appointed as Home Guards in the year 2004 and 2000 respectively and they were discharging their duties to the best satisfaction of their superiors. While so, the respondents have issued show cause notices to the petitioners during July, 2017 and November, 2016 respectively as to why their services should not be disengaged. The petitioners have submitted their explanation to the said show cause notices and without considering any of the contentions raised by the petitioners, the respondents have removed the petitioners from service. Challenging the same, the petitioners have preferred appeals to the respondents. The principal grievance of the petitioners

is that the respondents are not disposing of the said appeals preferred by them.

5. Learned Special Government Pleader appearing for the respondents contended that after issuing show cause notices and after giving full opportunity, the petitioners were disengaged from service and no irregularity has been committed by the respondents and there are no merits in the writ petitions and therefore, the writ petitions are liable to be dismissed.

6. This Court having considered the rival contentions made by both parties, is of the considered view that the ends of justice would be met if the appellate authority is directed to dispose of the appeal preferred by the petitioners and pass appropriate orders on merits within a period of 4 weeks from the date of receipt of a copy of this order.

7. With the above observation, the writ petitions are disposed of. No order as to costs. Miscellaneous petitions, if any pending in these writ petitions shall stand closed.

ABHINAND KUMAR SHAVILI, J

DATED: 11-10-2018

Hsd