

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

Writ Petition No.39475 of 2018

ORDER:

This writ petition is filed seeking a writ of mandamus declaring the action of the 3rd respondent in suspending the petitioner vide impugned Memo dated 01.06.2018 without proper reason and in not accepting the explanation given by the petitioner as illegal and arbitrary.

Heard Sri M.Prudhvi Raj, learned counsel for the petitioner and learned Government Pleader for Services-II.

It has been contended by the petitioner that he was appointed as an Assistant Project Director on contract basis and while he was discharging duties as such, the 3rd respondent had suspended the petitioner vide impugned proceedings dated 01.06.2018 alleging certain irregularities. Thereafter, the 3rd respondent has also issued a charge memo on 12.06.2018 and the petitioner has submitted a detailed explanation denying the charges. The grievance of the petitioner is that inspite of the 3rd respondent issuing a charge memo to which the petitioner has submitted a detailed explanation, the suspension orders were not revoked.

Learned counsel for the petitioner contends that an employee can be placed under suspension pending disciplinary action and also pending investigation into the alleged irregularities but, in the instant case, though the 3rd respondent has already issued a memorandum of charges and the petitioner has submitted a detailed explanation, no orders have been passed revoking the order of suspension which is causing severe hardship to the petitioner. He further contends that appropriate directions be issued to the respondents to revoke the impugned order of suspension.

Learned Government Pleader for Services-II submits that the petitioner was placed under suspension pending disciplinary action and no illegality has been committed by the 3rd respondent in placing the petitioner under suspension. He further contends that when serious allegations have been levelled against the petitioner in the charge memo, it would not be appropriate to revoke the suspension order and as there are no merits in the writ petition, it is liable to be dismissed.

This Court, having considered the rival submissions made by the parties, is of the view that this writ petition can be disposed of directing the petitioner to submit a representation to the 3rd respondent seeking revocation of the order of suspension within two weeks from the date of receipt of a copy of this order and upon such a representation being received from the petitioner, the 3rd respondent shall consider the same and pass appropriate orders in another four weeks.

With these observations, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

(ABHINAND KUMAR SHAVILI, J)

02nd November, 2018
JSU

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Date: 02.11.2018

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