

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.44707 of 2018

ORDER:

Heard the learned counsel for the petitioner and Sri N.Vasudeva Reddy, learned counsel for the respondents.

2. Petitioner has assailed order dt.01-12-2018 placing the petitioner under suspension and it is not in dispute that a separate charge sheet was also issued to the petitioner making allegations of theft, fraud, dishonesty and misappropriation to the following effect:

“CHARGE- You have instructed the on duty mechanic Sri M.Bharath Bhushan, E.216135 as to top up engine oil of Corporation which belongs to Kushaiguda depot into the bike No.AP9AB1458 which belongs to you, while you are supervising the shift duty on 07-10-2018, which amounts to theft, fraud and dishonesty or misappropriation in connection with the business or the property of the Corporation on your part and violated the rules of the Corporation, which constitute to serious mis-conduct in terms of Reg.28 (x) & (xxxii) of TSRTC Employees (Conduct) Reg.1963.”

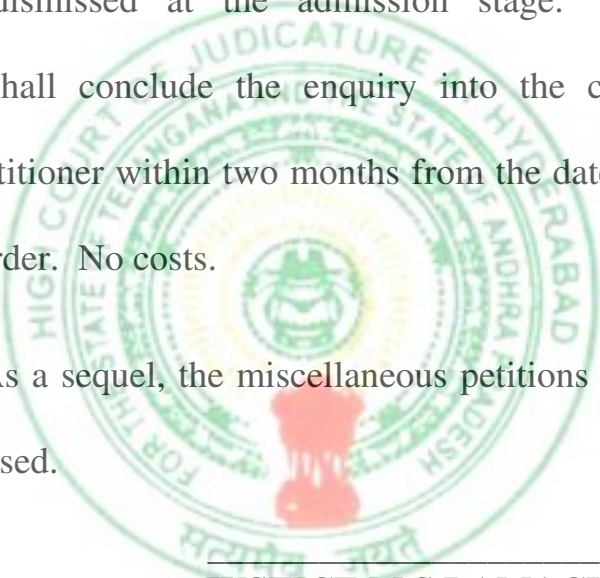
3. Learned counsel for the petitioner sought to contend that the petitioner is innocent and has been falsely implicated by his subordinate employees who are jealous of his position as a Deputy Superintendent. He also brought to the notice of the Court certain contentions on facts which according to him supported the innocence of the petitioner.

4. It is not the case of the petitioner that the order placing the petitioner under suspension was passed by the 2nd respondent

without any jurisdiction. This Court cannot go into the correctness or otherwise of the allegations levelled against the petitioner in the charge memo since the petitioner has ample opportunity to participate in the disciplinary enquiry which is to be conducted against the petitioner by the respondents and rely upon the material which he has filed before this Court as well as the points which are taken in the affidavit filed in support of this Writ Petition in his defence.

5. I therefore do not find any merit in the Writ Petition. It is accordingly dismissed at the admission stage. However, the respondents shall conclude the enquiry into the charges levelled against the petitioner within two months from the date of receipt of a copy of this order. No costs.

6. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.



JUSTICE M.S.RAMACHANDRA RAO

Date: 10-12-2018
kvr