

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.2095 OF 2019

ORDER

This writ petition is filed seeking the following relief:

“to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus to declare the action of the 2nd respondent in not passing any orders on the mercy review petition filed by petitioner on 13-11-2018 against the orders passed by the 3rd respondent dt 27-09-2018 bearing No. PA/19(89)/2018/RM:MR as being illegal, arbitrary, unjust and against to the principles of natural justice and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and in the interest of justice.”

Heard Sri G.Rajesh, learned counsel appearing for the petitioner and Sri N.Vasudeva Reddy, learned Standing Counsel appearing for the respondent-Corporation.

It is the case of the petitioner that he was appointed as a Conductor in the respondent-Corporation in the year 2008 and he was discharging his duties as such. While so, on 14-10-2017, the checking officials of the Corporation had exercised a check and found that the petitioner had indulged in cash and ticket irregularities. The disciplinary authority after conducting detailed enquiry and for the proven misconduct, had removed the petitioner from service *vide* order dated 24.04.2018. The appeal and review preferred by the petitioner were rejected. Thereafter, the petitioner filed

mercy review petition before the 2nd respondent on 13-11-2018, but so far, no orders have been passed thereon.

Learned counsel appearing for the petitioner submits that the 2nd respondent has not passed any orders on the mercy review petition filed by the petitioner and that appropriate orders be passed directing the 2nd respondent to consider the mercy review petition dated 13-11-2018.

Learned Standing Counsel appearing for the respondent-Corporation submits that the 2nd respondent would pass appropriate orders on the mercy review petition submitted by the petitioner.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that ends of justice would be met if a direction is given to the 2nd respondent to consider the mercy review petition submitted by the petitioner.

Accordingly, the Writ Petition is disposed of directing the 2nd respondent to consider the mercy review petition submitted by the petitioner on 13-11-2018 and pass appropriate orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

5th February, 2019
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