

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.4293 OF 2019

DATED :05.03.2019

Between :

J.Jayawanth Rao S/o. Harilal,
Aged about 57 yrs 9 months,
Occu : Sub-Registrar, Grade-I,
(Under Suspension),
O/o.District Registrar,
Registration and Stamps Department,
Adilabad, District Adilabad,
Telangana State.

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Petitioner

And

The State of Telangana,
Rep., by its Principal Secretary,
Revenue Department (RR-II),
(Stamps and Registration),
Secretariat, Hyderabad & another.

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Respondents

This court made the following :

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ORDER :

Heard learned counsel for petitioner and learned Government Pleader for Revenue for respondents.

2. Petitioner is challenging the order of suspension from service by the Commissioner & Inspector General, Stamps and Registration, dated 24.01.2019. Aggrieved by the order of suspension, petitioner claimed to have preferred appeal on 06.02.2019. Though no acknowledgement is filed of filing of such appeal, without waiting for the decision by the appellate authority, even assuming that such appeal is already filed, this writ petition is filed.

3. It is not the case of petitioner that Commissioner is not competent to place the petitioner under suspension.

4. On a reading of the order, it cannot be said that there is no application of mind by the competent authority before resorting to place the petitioner under suspension.

5. At this stage, learned counsel for petitioner sought to contend that so far no steps are taken to complete the enquiry and that some time limit may be fixed for completion of enquiry as the petitioner is due for retirement on 31.05.2019. Unless petitioner is reinstated and enquiry is completed within time fixed by the Government, grave prejudice would be caused to the petitioner.

6. The order of suspension is dated 24.01.2019. Even assuming what is contended by petitioner on the time frame in departmental proceedings is valid, the Court cannot express any opinion at this stage, as the time limit fixed by the Government has not expired. Further petitioner having claimed that he has preferred appeal, without waiting for decision on the appeal, filed this writ petition. This Court is not inclined to grant the relief as prayed for at this stage.

7. Thus, leaving it open to petitioner to pursue the appeal already claimed to have been preferred, this Writ Petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

05th March, 2019
Rds

P.NAVEEN RAO,J