

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.Nos.6875 & 6950 of 2019

COMMON ORDER:

Since the issue raised in these writ petitions is one and the same, they are heard together and being disposed of by way of a common order, at the admission stage.

2. These Writ Petitions are filed seeking Writ of Mandamus to declare action of 2nd respondent in not passing any orders on the review petitions preferred by the petitioners on 14-01-2019 and 15-01-2019 against the orders of the 3rd respondent, dated 07-01-2019, as arbitrary, illegal and violative of Articles 14 and 16 of the Constitution of India.

3. Heard Sri G.Rajesh, learned counsel for the petitioners and Sri A.Ravi Babu, learned Standing Counsel for the respondents.

4. It has been contended by the petitioners that they were initially appointed as Drivers and while they were discharging their duties, the respondents have initiated disciplinary action on the ground that they were found in drunken state. Disciplinary authority has initiated proceedings and after conducting regular enquiry, imposed punishment of removal on 12-11-2018 and 31-10-2018. Thereafter, the petitioners have unsuccessfully preferred appeals and the appellate authority vide orders, dated 07-01-2019 have rejected the appeals of

the petitioners. Aggrieved by the same, the petitioners have preferred review petitions before the reviewing authority on 14-01-2019 and 15-01-2019 and their grievance is that the reviewing authority has not passed any orders thereon.

5. Learned counsel for the petitioners contends that appropriate orders be passed in the Writ Petition by directing the reviewing authority to pass appropriate orders on the review petition preferred by the petitioners in accordance with law.

6. Learned Standing Counsel for the respondents has submitted that the reviewing authority will consider the review petitions of the petitioners and appropriate orders will be passed in accordance with law.

7. This Court, having considered the submissions of the learned counsel for the respective parties, is of the considered view that the Writ Petition can be disposed of directing the reviewing authority to pass appropriate orders on the review petitions preferred by the petitioners on 14-01-2019 and 15-01-2019 in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is needless to say that reviewing authority shall consider the report, dated 18-06-2018 of the RTC Head Constable.

8. With the above observations, both the writ petitions are disposed of. No order as to costs.

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

JUSTICE ABHINAND KUMAR SHAVILI

Date: 02-04-2019
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