

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.8027 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of both the parties.

This writ petition is filed seeking the following relief :-

“.....to issue a writ, order or direction especially one in the nature of writ of mandamus declaring that (a) the proceedings in R.C.No.415/ Ser.I-1/ 2017, dt 28.8.2017 issued by the 3<sup>rd</sup> respondent is illegal and arbitrary violating Articles 14 & 16 of the Constitution of India (b) further declare that petitioner is entitled to be reinstated into service as Asst. Director ....”.

Heard Mr.M.Srinivasa Rao, learned counsel for petitioner and the learned Government Pleader for Services-I.

It has been contended by the petitioner that he was initially appointed as Junior Assistant and later on he was promoted as Senior Assistant and presently he is working as Assistant Director. He was placed under suspension vide proceedings dated 28.08.2017 and the respondents have not reviewed the suspension order in accordance with the Rules.

Learned counsel for petitioner submits that similarly situated person i.e., one G.Somasekhar was also placed under suspension and he has filed W.P.No.33145 of 2017 and this Court vide order dated 11.10.2017 suspended the suspension order of G.Somasekhar and the respondents have implemented the said interim order vide proceedings, dated 15.02.2019.

Learned counsel appearing for the petitioner has contended that appropriate orders be passed in the writ petition directing the

respondents to review the suspension order of the petitioner strictly in terms of G.O.Ms.No.86 dated 08.03.1994 and also by duly taking into account the proceedings dated 15.02.2019 issued in favour of G.Somasekhar.

Learned Government Pleader appearing for respondents has contended that the case of the petitioner will be reviewed and appropriate orders would be passed in accordance with the Rules.

This Court, having considered the rival submissions, is of the considered view that this writ petition can be disposed of directing the respondents to review the suspension order of the petitioner strictly in terms of G.O.Ms.No.86 dated 08.03.1994 and also by duly taking into account the proceedings dated 15.02.2019 pertaining to G.Somasekhar and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

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ABHINAND KUMAR SHAVIL, J

Date: 24-04-2019  
Prv

