

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.7247 of 2018

ORDER:

With the consent of both the counsel, this writ petition is being disposed of at the stage of admission.

This writ petition is filed seeking the following relief :-

“..... to issue an appropriate Writ, Order or direction preferably one in the nature of Writ of Mandamus and to declare the Impugned Proceedings No.D12/ 110/ SA/ 2013, dated Nil.08.2013 of the 2nd respondent by discharging the services of the petitioner as a Filed Assistant from Payawaram Village, Ligala Mandal, Mahaboobnagar District (Nagarkurnool District) now without considering any of the explanation submitted by the petitioner in detail and without conducting any proper enquiry and also without any application of mind the Impugned Orders were passed is highly illegal, arbitrary, unreasonable discriminatory and also in violation of Arts 14, 16 and 21 of the Constitution of India and declare the same as bad in law and set aside the same and consequently direct the respondents to reinstate the petitioner into service as a Filed Assistant in Payawaram Village, Lingala Mandal, Nagarkurnool District, with all consequential benefits”.

Heard Sri C.Raja Sekhar Reddy, the learned counsel for the petitioner and Ms.R.Padma Rekha, the learned Standing Counsel for the respondents.

It has been contended by the petitioner that he was appointed as Field Assistant during the year 2010 and he has been discharging his duties to the best satisfaction of his superiors and every one concerned. While discharging his duties as Field Assistant, the respondents have temporarily suspended the petitioner from service vide proceedings dated 18.04.2013 on the alleged ground that he has indulged in certain irregularities as per the audit report. Thereafter, the petitioner has submitted explanation. Without

considering the said explanation and without conducting any enquiry, the respondents have straight away removed the petitioner from service vide order dated 08.08.2013. Aggrieved by the same, the petitioner filed appeal before the 3rd respondent on 21.02.2017. But, the 3rd respondent has not passed any orders on the said appeal.

Learned counsel for the petitioner submits that appropriate orders be passed in the writ petition directing the 3rd respondent to consider the appeal preferred by the petitioner and pass appropriate orders in accordance with law.

Learned Standing Counsel appearing for respondents has contended that the appeal preferred by the petitioner would be considered by the 3rd respondent and appropriate orders would be passed in accordance with law.

This Court, having considered the rival submissions of the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the 3rd respondent to consider the appeal preferred by the petitioner on 21.02.2017 and pass appropriate orders in accordance with law, within a period of eight 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.

As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

JUSTICE ABHINAND KUMAR SHAVIL

19.06.2019

Prv

