

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.11143 of 2019

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 a writ, order or direction especially one in the nature of writ of mandamus declaring that (a) proceedings issued by the 2nd respondent in T.S.R.T.C.No.01/ 209(2)/ 2019-SPL, dated 10.4.2019 as illegal and arbitrary and discriminatory violating Articles 14 and 16 of the Constitution of India (b) petitioner is entitled to be reinstated into service forthwith”.

Heard Mr.M.Sinivasa Rao, learned counsel for petitioner and the learned Standing Counsel for respondents.

It has been contended by the petitioner that he is working as driver. While so, on 10.04.2019 he was placed under suspension on the ground that he has refused to undergo breath analyser test and left the security branch, Sathupally without co-operating with the security personnel. On the same day, a charge-sheet was issued and the petitioner has submitted explanation to the said charge-sheet denying the allegation levelled against him.

The grievance of the petitioner is that placing him under suspension for trivial issue is unwarranted and let he be reinstated into service and let the enquiry be continued against him.

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

reinstate the petitioner into service and the petitioner is willing to co-operate with the disciplinary authorities to conclude the disciplinary proceedings initiated against him.

Learned Standing Counsel appearing for respondents has contended that since the petitioner has refused to undergo breath analyser test and left the security branch, Sathupally without co-operating with the security personnel, the petitioner was placed under suspension and he was charge-sheeted. He further submits that the disciplinary proceedings initiated against the petitioner will be concluded within four weeks 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, without expressing any opinion on the merits of the case, is of the considered view that this writ petition can be disposed of directing the respondents to conclude the disciplinary proceedings initiated against the petitioner and pass appropriate orders within 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.

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

JUSTICE ABHINAND KUMAR SHAVILI

10.06.2019
Prv

