

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.15628 of 2019

ORDER:

Heard Sri M.Damodar Reddy, learned counsel for the petitioner, the learned Government Pleader for Agriculture and Sri B.Timothi, learned Standing counsel for PJTSAU. With the consent of learned counsel for the respective parties, this Writ Petition is disposed of at the admission stage.

This writ petition is filed seeking the following relief :-

“.....Writ of Mandamus declaring the action of the 2nd respondent in issuing the impugned suspension order dated 20.07.2019 in Memo No.8306/V&LC/A12019 placing the petitioner under suspension thought the petitioner have not intentionally committed any irregularity and though the petitioner have expressed his willingness to repay the amount payable to the University, as illegal, unlawful, contrary to law and consequently direct the 2nd respondent to reinstate the petitioner into service and permit the petitioner to pay the alleged due amount by way of monthly instalment and pass such other”

It has been contended by the petitioner that he is working as Superintendent with the respondent University and has been discharging his duties to the best satisfaction of his superiors and everyone concerned. While so, he was placed under suspension by the respondents vide Memo dated 20.07.2019 on the ground that he has drawn 'House Rent Allowance' (HRA) while occupying the University quarter allotted to him. The petitioner contends that he has filed I.A.No.2 of 2019 bringing to the notice of this Court that he had submitted a representation dated 07.08.2019 to the respondents by enclosing the DD

dated 07.08.2019 for an amount of Rs.4,95,622/- towards the HRA drawn by him requesting the respondents to review the suspension orders.

Learned Standing counsel appearing for the respondent University had contended that petitioner himself used to prepare the salary bills of the employees of the respondent University and while doing so, he has done the above mischief of claiming HRA, though he is in occupation of the University quarter. Therefore, disciplinary action was initiated against the petitioner in accordance with law by issuing suspension orders.

This Court, having considered the rival submissions of the learned counsel for the respective parties, is of the considered view that since the petitioner had submitted a representation dated 07.08.2019 seeking revocation of the suspension orders issued to him by enclosing the DD dated 07.08.2019 for an amount of Rs.4,95,622/- towards repayment of the HRA drawn by him, this writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioner on 07.08.2019 along with the DD dated 07.08.2019 for an amount of Rs.4,95,622/- towards repayment of HRA drawn by him and review the suspension orders, in accordance with law. However, respondents are at liberty to proceed with the disciplinary proceedings already initiated against the petitioner.

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

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 20-08-2019
dv

