

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.19069 OF 2019

ORDER (ORAL):

With the consent of both sides, the Writ Petition is taken up for disposal at the stage of admission itself.

2. This writ petition is filed challenging the action of the respondents in not paying subsistence allowance to the petitioner even though he was placed under suspension vide proceedings in D.O. No.98/2019, C. No.2577/E4/PR/CID-TS/2019 dated 05.02.2019 and not revoking the suspension orders despite lapse of six months there-from, and also challenging the action of the respondents in not concluding the disciplinary proceedings within a reasonable period of time preferably within six months.

3. Heard Sri P.V. Krishnaiah, learned counsel for the petitioner, and learned Special Government Pleader for Home (Services-1) appearing for respondents, and perused the material on record.

4. It has been contended by the petitioner that he was working as Inspector of Police, C.I.D., and was placed under suspension by the aforesaid proceedings dated 05.02.2019 on the alleged ground that he had indulged in illegal gratification in Crime No.677 of 2012.

5. Learned counsel for the petitioner submits that except making a bald statement that the petitioner had indulged in illegal gratification while dealing with the criminal case in Crime No.677 of 2012, no further progress has been made by the disciplinary authority in that regard. He submits that the respondents have not even paid subsistence allowance to the petitioner after placing him under suspension until this Court was pleased to grant an interim direction on 26.09.2019 directing them to pay subsistence allowance. He also submits that except placing the petitioner under suspension, no further disciplinary action has been initiated against him. Accordingly, he requests this Court that appropriate orders may be passed in the writ petition directing the respondents to review the suspension orders of the petitioner in terms of G.O. Ms. No.86 General Administration (Service.C) Department dated 08.03.1994 and if the respondents really intend to initiate any disciplinary action against the petitioner, let the same be initiated and concluded within a reasonable time preferably within six months.

6. Learned Government Pleader submits that the case of the petitioner would be reviewed in accordance with G.O. Ms. No.86 General Administration (Service.C) Department dated 08.03.1994 and the disciplinary authority would also pass orders as to whether the respondents intend to initiate disciplinary proceedings against the petitioner or not and if the disciplinary authority comes to a conclusion to initiate disciplinary action, the same would be initiated

and concluded within a reasonable time preferably within a period of six months.

7. Having considered the rival submissions, this Court is of the view that the writ petition can be disposed of directing the respondents to review the suspension orders of the petitioner strictly in accordance with G.O. Ms. No.86 General Administration (Service.C) Department dated 08.03.1994 and if the disciplinary authority comes to a conclusion to initiate disciplinary proceedings, let the same be initiated and concluded within a reasonable period of time preferably within a period of six months, and, accordingly, the Writ Petition is disposed of. It is needless to say that subsistence allowance be paid to the petitioner as per the rules. No order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the writ petition stand closed.

ABHINAND KUMAR SHAVILI, J

October 24, 2019.

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