

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.19777 OF 2019

Date:18.09.2019

Between:

Badavath Bansilal, S/o. Badavath Jalapathi,
Aged about 35 years, Occ: Police Constable
In 13th Battallion TSSP (IR) Gudipet,
R/o.H.No.18-145/2, Medraiwada,
Mancherial, District Mancherial .. Petitioner

And

Commandant 13th Battallion
TSSP (IR) Gudipet, Mancherial and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.19777 OF 2019****ORDER:**

Heard learned counsel for the petitioner and learned Government Pleader for Home appearing for the respondents.

2. On the allegation that petitioner was involved in marital life of Smt. D. Sneha, who is the wife of his brother-in-law; harassed her for additional dowry; attributed illegal relationship to her and attacked Sri Lakavath Raju Naik, who is cousin of Smt. Sneha; he was placed under suspension by order dated 29.08.2019.

3. It is not in dispute that Commandant is the competent authority to place any person under suspension and against the order of suspension, remedy of appeal is available.

4. Learned counsel for the petitioner sought to contend that suspension is unwarranted, as there was no truth in the allegations made against the petitioner and he was falsely implicated.

5. Apparently, basing on the allegations, crimes were registered against the petitioner and investigation was taken up and at this stage, no opinion can be expressed on the allegations. The 1st respondent has taken into consideration the allegations levelled against the petitioner and having found *prima facie* case, placed him under suspension. Thus, the petitioner ought to have availed the remedy of appeal. Without exhausting the remedy of appeal, the petitioner straight away instituted this Writ Petition. Therefore, this Court is not inclined to entertain the Writ Petition.

6. The Writ Petition is accordingly dismissed leaving it open to the petitioner to avail the remedy of appeal. Pending miscellaneous petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:18.09.2019

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