

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.19889 of 2019

ORDER:

This writ petition is filed seeking the following relief :-

“.....to issue a writ, order or direction more particularly one in the nature of writ of Mandamus to declare the action of respondent No.1 in suspending the petitioner from service by issuing the impugned proceedings in Rc.No.E4/ 4738/ 2018 dt.16.10.2018 and continuing the petitioner under suspension without reviewing the suspension order after completion of six months period as arbitrary, illegal and consequently set aside the impugned proceedings Rc.No.E4/ 4738/ 2018 dt.16.10.2018 issued by the 1st respondent with a direction to continue the petitioner in service without reference of pendency of the criminal case.....”

Heard Mr.P.Nagendra Reddy, learned counsel for the petitioner and the learned Government Pleader for Services-II.

It has been contended by the petitioner that she is working as FNO (Class-IV employee) and she was placed under suspension vide proceedings dated 16.10.2018 on the ground that she was detained by the police for more than forty eight hours in connection with FIR No.291 of 2018 for the offences punishable under Sections 304-B and 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act. The petitioner submits that she was enlarged on bail by the competent criminal Court. The grievance of the petitioner is that though more than six months have elapsed, the respondents are not reviewing the suspension order. Challenging the same, the present writ petition is filed.

Learned counsel for the petitioner submits that the respondents cannot place the petitioner under suspension eternally and the respondents are bound to review the suspension order in terms of G.O.Ms.No.86 dated 08.03.1994. Therefore, appropriate orders be passed in the writ petition directing the respondents to review the suspension order and pass appropriate orders in terms of G.O.Ms.No.86 dated 08.03.1994.

Learned Government Pleader appearing for the respondents has contended that the case of the petitioner will be reviewed and appropriate orders would be passed in terms of G.O.Ms.No.86 dated 08.03.1994.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to review the suspension order dated 16.10.2018 and pass appropriate orders in terms of G.O.Ms.No.86 dated 08.03.1994 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.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

15-10-2019
Prv