

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.20502 OF 2019

Date:23.09.2019

Between:

K. Sudhakar, S/o. Yadaiah,
38 years, E.233770, Driver,
H.No.1-54, Majidpur Village,
Abdullapurmet Mandal,
Ranga Reddy District

.. Petitioner

And

Telangana State Road Transport Corporation,
rep., by Managing Director, Bus Bhavan,
Musheerabad, Hyderabad and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO**WRIT PETITION No.20502 OF 2019****ORDER:**

Heard learned counsel for the petitioner and learned standing counsel for the Telangana State Road Transport Corporation for the respondents.

2. Petitioner was allotted duty on route 'N.G.O's Colony, Vanasthalipuram, to Borabanda' on 27.08.2019. A lady Conductor, who was assigned duty with the petitioner, made a complaint against the misbehaviour of the petitioner, abusing her in filthy language and also alleged that he parked the bus on the road side even though there were passengers and refused to move forward and took more time to reach the destiny than normally required. Based on the said complaint and on conducting preliminary enquiry, having found *prima facie* establishment of the allegations, by order dated 31.08.2019, the petitioner was placed under suspension and on the same day, charge sheet was issued.

3. It is not in dispute that the Depot Manager is the disciplinary authority and is competent to place the driver under suspension. A reading of the order under suspension would show that based on the material placed before the Depot Manager including the preliminary enquiry report, having found *prima facie* case of misconduct, petitioner was placed under suspension. Thus, it cannot be said that the order was made without application of mind and *ex facie* illegal. The jurisdiction

of the writ Court against the order of suspension is very limited and it cannot go into the merits of the contentions or go into the validity of the charges to hold the suspension as not valid. Therefore, the Court is not inclined to entertain the Writ Petition.

4. The Writ Petition is accordingly dismissed. However, notwithstanding the dismissal of the Writ Petition, if the petitioner submits his explanation within two weeks and cooperates in conducting enquiry, the disciplinary proceedings shall be concluded within a period of six weeks from the date of submission of explanation. Pending miscellaneous petitions, if any, shall stand closed.

Date:23.09.2019

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P. NAVEEN RAO, J

