

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.21456 of 2019

ORDER:

Heard Sri D.Balakishan Rao, learned counsel for the petitioner and learned Government Pleader for Services-II. 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, order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned Proc.No.A/1509/2018, dt.18-07-2018 issued by the 1st respondent as being illegal, arbitrary, unjust, void and violative of Articles 14, 16 and 21 of Constitution of India besides being contrary to the rules and consequently set-aside the said orders and hold that the petitioner is entitled for reinstatement to duty as Tahsildar with all consequential and attendant benefits and pass such other order or orders.....”

It has been contended by the petitioner that he is working as Tahsildar at Kothakota Mandal, Wanaparthi District and while he was discharging his duties, the 1st respondent placed him under suspension vide proceedings dt.18.07.2018 on the ground that he was trapped by ACB officials when he was demanding and accepting the bribe and was detained for more than 48 hours. The grievance of the petitioner is that except placing him under suspension, the respondents neither initiated disciplinary proceedings against him nor reviewed the suspension orders dated 18.07.2018.

Therefore, learned counsel for the petitioner contends that appropriate orders be passed in this writ petition directing the

respondents to review the suspension orders dt.18.07.2018 strictly in terms of G.O.Ms.No.86 dt.08.03.1994 and pass appropriate orders in accordance with law.

Learned Government Pleader appearing for the respondents had contended that the case of the petitioner would be considered in accordance with G.O.Ms.No.86 dt.08.03.1994 and appropriate orders would be passed in accordance with law.

This Court, having considered the rival submissions of the learned counsel appearing for the respective parties, is of the considered view that this writ petition can be disposed of directing the petitioner to make a representation within two weeks from the date of receipt of a copy of this order staking his claim for revival of suspension orders dt.18.07.2018 in terms of the law laid down by the Hon'ble Supreme Court in Civil Appeal No.1912 of 2015 dt.16-02-2015 and in terms of G.O.Ms.No.86 dt.08.03.1994. Upon receipt of such representation, the respondents shall consider the same and pass appropriate orders in accordance with the law, within a period of eight weeks thereafter.

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

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 28-11-2019
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