

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.23462 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 by declaring the action of the respondents in not regulating the period of suspension i.e., from 6.6.2007 to 02.05.2008 even though the Hon'ble Judicial First Class Magistrate, Jangaon passed judgment in C.C.No. 102/2010 dated 16.02.2018 acquitting the petitioner from the charges as illegal, arbitrary, unconstitutional being violative of Articles 14 and 16 of the constitution of India and consequently direct the respondents to regularize the period of suspension i.e., from 6.6.2007 to 02.05.2008 as on duty for all purposes and consequently release the salaries, increments and all other service and attendant benefits like Telangana increment in the interest of justice and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.”

Heard Sri R.Rajasekhara Rao, learned counsel appearing for the petitioner, learned Government Pleader for Panchayat Raj and Rural Development appearing for respondent Nos. 1 to 5 and learned Standing Counsel appearing for respondent No.6.

It is the case of the petitioner that he is working as Panchayat Secretary and while working as such, he was

placed under suspension *vide* proceedings dated 6.8.2007 on the ground that he was detained for more than 48 hours in relation to a criminal case. After considerable length of time, he was reinstated into service *vide* proceedings dated 3.5.2008 by revoking the suspension order. The petitioner was tried by the competent Criminal Court vide C.C.No.102 of 2010. The Judicial First Class Magistrate, Jangaon, vide order dated 16.2.2018 acquitted the petitioner.

The grievance of the petitioner is that though he submitted a representation dated 6.4.2018 to the respondents to regularize the suspension period by duly taking into account the judgment passed in C.C.No.102 of 2010 and pass appropriate orders, so far, no orders have been passed thereon.

Learned counsel appearing for the petitioner submits that appropriate orders be passed in the writ petition by directing the respondents to consider the representation dated 6.4.2018 submitted by the petitioner.

Learned Government Pleader as well as learned Standing Counsel appearing for the respondents contended that the respondents would consider the representation submitted by the petitioner and pass appropriate orders thereon, in accordance with law.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that this Writ Petition can be disposed of directing the respondents to consider the representation dated 6.4.2018 submitted by the petitioner and pass appropriate orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

28th October, 2019
rkk

JUSTICE ABHINAND KUMAR SHAVILI

