

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.26459 of 2018

ORDER :

This writ petition is filed seeking Writ of Mandamus declaring the action of the 2nd respondent in issuing impugned proceedings RC.No.892/VI/2018-3, dated 06.03.2018 placing petitioner No.1 under suspension; and impugned proceedings RC.No.892/VI/2018-4, dated 06.03.2018 placing petitioner No.2 under suspension and further action in continuing the petitioners under suspension without any reason, while reinstating other similarly situated employees, as highly illegal, arbitrary and violative of Article 14 of the Constitution of India, and consequently sought to set aside the said proceedings.

It is the case of the petitioners that petitioner No.1 is working as a Senior Assistant and petitioner No.2 is working as a Junior Assistant in the respondents Organisation. While so, the 2nd respondent has placed the petitioners under suspension vide separate proceedings, both dated 06.03.2018, for the alleged irregularity of collection of less amount of Life Tax from the vehicles of other States. The grievance of the petitioners is that even after a lapse of almost nine months, no disciplinary action has been initiated against the petitioners except placing them under suspension. Hence the present writ petition.

Heard Sri G.V. Shivaji, learned counsel for the petitioners and the learned Government Pleader for Services-III.

Learned counsel for the petitioners contends that the 2nd respondent has not reviewed the suspension orders even after completion of six months period. The learned counsel, therefore, contends that appropriate orders be passed directing the 2nd respondent to review the suspension orders passed against the petitioners in terms of G.O.Ms.No.86, dated 08.03.1994.

On the other hand, the learned Government Pleader for Services appearing for the respondents submits that the cases of the petitioners will be examined in terms of G.O.Ms.No.86, dated 08.03.1994 and appropriate orders would be passed by reviewing the suspension orders passed against them.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that the writ petition can be disposed of directing the 2nd respondent to review the suspension orders passed against the petitioners in terms of G.O.Ms.No.86, dated 08.03.1994 and pass appropriate orders within a period of four (4) 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.

As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

01.02.2019.
Msr

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