

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.46317 of 2018

ORDER :

This writ petition is filed seeking Writ of Mandamus declaring the action of the 2nd respondent in issuing impugned Proc. No.176/TSPCB/Estt./2018-375, dated 13.07.2018 keeping the petitioner under suspension indefinitely, as illegal, arbitrary and unconstitutional, and consequently sought to set aside the said proceedings and reinstate the petitioner into service.

It is the case of the petitioner that while he was working as a Senior Environmental Engineer in the respondents – Pollution Control Board, respondent No.2 has placed the petitioner under suspension vide Proc. No.176/TSPCB/Estt./2018-375, dated 13.07.2018, on the ground that he was sent to judicial custody in connection with Crime No.221 of 2018 of Bowenpally Police Station, Secunderabad, registered for the offences under Section 370, 370(A) of IPC and Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act. The grievance of the petitioner is that even after a lapse of six months, the respondents are not reviewing the said suspension order in terms of G.O.Ms.No.86, dated 08.03.1994. Hence the present writ petition.

Heard Sri Karunakar Reddy, learned counsel for the petitioner and the learned Government Pleader for Services.

Learned counsel for the petitioner contends that the 2nd respondent has not reviewed the said suspension order even after completion of six months. The learned counsel, therefore, contends that appropriate orders be passed directing the 2nd respondent to review the suspension order passed against the petitioner 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 case of the petitioner will be considered in terms of G.O.Ms.No.86, dated 08.03.1994 and appropriate orders would be passed by reviewing the suspension order passed against the petitioner.

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 order passed against the petitioner 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

27.02.2019.
Msr

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