

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 4445 of 2020

Date : 28.2.2020

Between:

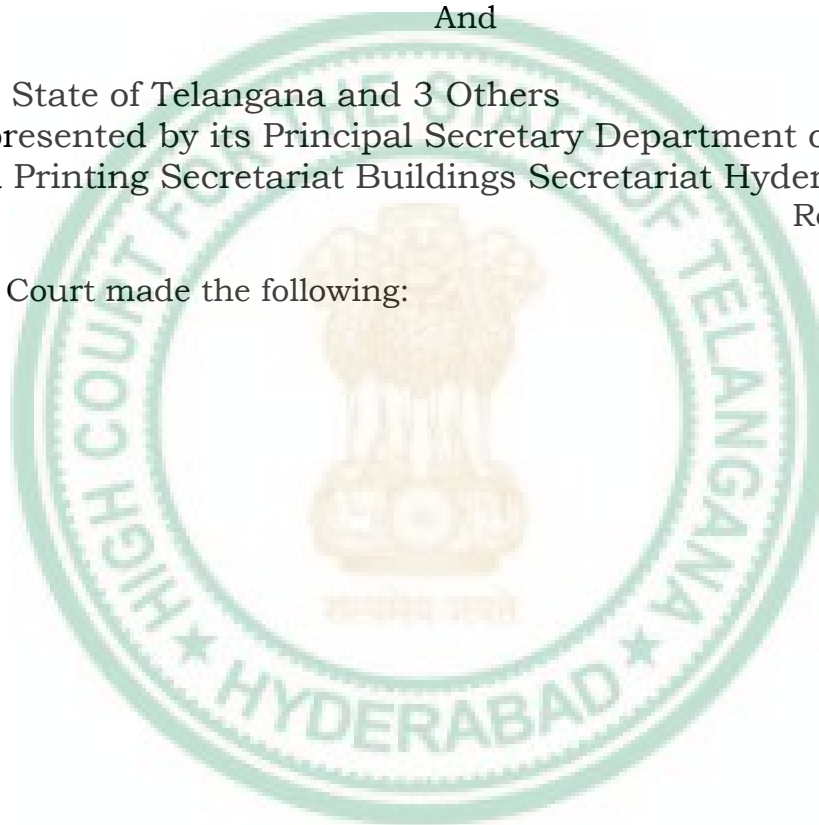
S Narasamma W/o S Krishna Aged about 38 years
Occ Senior Assistant Printing Stationary and Store
Purchasing Department Central Press Chanchalguda
Hyderabad

Petitioner

And

The State of Telangana and 3 Others
Represented by its Principal Secretary Department of Home
and Printing Secretariat Buildings Secretariat Hyderabad
Respondents

The Court made the following:



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ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Home.

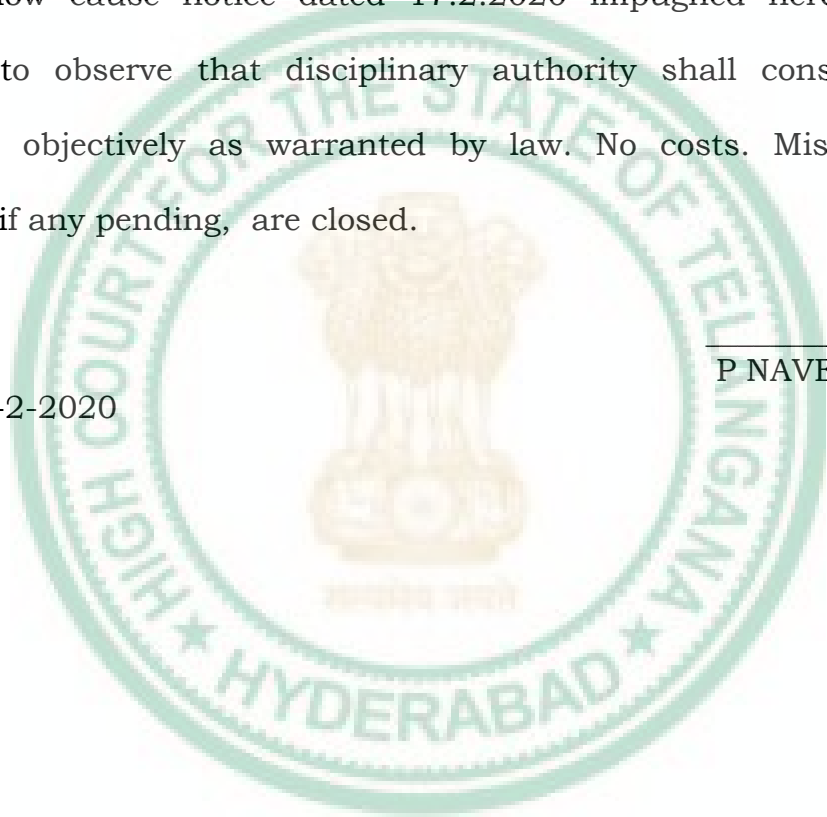
2. Disciplinary proceedings were initiated against the petitioner leveling several charges; departmental enquiry was conducted; enquiry officer submitted his report dated 5.2.2020 and enclosing a copy of the report of the enquiry officer, show cause notice was issued on 17.2.2020 calling upon the petitioner to submit his explanation on the findings recorded by the enquiry officer. In this writ petition, petitioner challenges the show cause notice dated 17.2.2020.

3. In accordance with Rule 21 of Telangana State Civil Services (CCA) Rules, 1991, once enquiry report is submitted and if enquiry officer held the charges as proved, delinquent is entitled to notice with copy of report of the enquiry officer to enable the employee to respond to the notice and to point out infirmities in conducting the enquiry or on conclusions arrived at by the enquiry officer. In terms thereof, the present show cause notice is issued. It is not the case of the petitioner that second respondent is not competent to issue show cause notice. Learned counsel for petitioner sought to contend that there were several infirmities in conducting the enquiry by the enquiry officer and due opportunity was not afforded to petitioner to defend herself, therefore, entire proceedings are vitiated.

4. Nothing prevented the petitioner to raise all these objections before the disciplinary authority. It cannot be expected that disciplinary authority would not appreciate the objections filed by the petitioner. Even before such objections are filed and decision is made by the disciplinary authority, Court is not inclined to entertain the writ petition. Accordingly, writ petition is dismissed, leaving it open to the petitioner to raise all objections as available to her in law by submitting explanation to the show cause notice dated 17.2.2020 impugned herein. It is needless to observe that disciplinary authority shall consider such objections objectively as warranted by law. No costs. Miscellaneous petitions, if any pending, are closed.

DATE: 28-2-2020
TVK

P NAVEEN RAO,J



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