

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.7016 OF 2020

Date: 19.06.2020

Between:

N.Tukaram, s/o. Tarya Nayak, Aged about 42 years,
Occu: Senior Inspector/Field and Incharge Cluster Officer,
Sadashiva Nagar, District Cooperative Officer,
Kamareddy, Kamareddy district.

.....Petitioner

And

The Additional Registrar, O/o Commissioner for
Cooperation and Registrar of Cooperative Societies,
Telangana, Hyderabad and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner is Senior Inspector and is also placed as Person-incharge of Primary Agricultural Cooperative Society Limited, Sadasiva Nagar, Kamareddy district. By order dated 12.03.2020, petitioner was placed under suspension. Aggrieved by the said order of suspension, petitioner preferred appeal to the Commissioner of Cooperation and Registrar of Cooperative Societies on 24.03.2020. According to learned counsel for petitioner, so far no orders are passed on the appeal preferred by the petitioner.

2. This writ petition is filed challenging the order of suspension.

3. Learned counsel for petitioner sought to contend that order of suspension was made by the Additional Registrar, at the instance of Sarpanch of the village, and, therefore, it is not sustainable. He would submit that since petitioner submitted report on the allegation of illegality in the functioning by some persons in the Primary Agricultural Cooperative Society, who are close relatives of the Sarpanch of the village, he bore grudge against the petitioner and false complaint was made. He submits that there is no truth in the allegations levelled against the petitioner. In his appeal to the Commissioner, petitioner submitted detailed explanation on various aspects mentioned in the order of suspension and they would clearly demonstrate that false allegations are levelled against the petitioner and unnecessarily he was placed under suspension.

4. The justification assigned in the order of suspension cannot be gone into at this stage. Those aspects have to be considered

during the course of disciplinary proceedings, if any disciplinary proceedings are initiated or by the appellate authority in his appeal. At the threshold, the Court cannot go into the validity of those allegations.

5. It is not in dispute that Additional Registrar is the disciplinary authority and is competent to place a Senior Inspector and person-in-charge of a Society under suspension. It is also seen from the order of suspension, it was not made merely based on the complaint of the Sarpanch. Detailed inspection was carried out and based on field report of the District Cooperative Officer, having found, *prima facie*, illegalities against the petitioner, suspension was resorted to. Therefore, it cannot be said that order of suspension is without application of mind and at the instance of some third parties.

6. For the aforesaid reasons, this Court is not inclined to entertain the writ petition. More so, appeal was already preferred by the petitioner and the same is pending consideration by the appellate authority. Therefore, Writ Petition is disposed of, directing the appellate authority to pass orders on the appeal preferred by the petitioner on 24.03.2020, as expeditiously as possible, preferably within a period of six weeks from the date of receipt of copy of this order, by assigning reasons in support of its decision. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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