

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY

PRESENT

THE HONOURABLE SRI JUSTICE P NAVEEN RAO

WRIT PETITION NO: 10328 OF 2020

Between:

N.Ravi Kumar, S/o N Bhimaiah, aged 50 years, Occ. Agriculture Extension Officer (Grade-1), (Under suspension) O/o ADA (regular) Chevalla, RR District. R/o. 12-2-709/107, Flat No.301, Para Height Apartment, Navodaya Colony, Medhipatnam, Hyderabad

...PETITIONER

AND

1. The State of Telangana, rep. by it's Principal Secretary, Agriculture, Telangana Secretariat, BRKR BHAVAN, Hyderabad.
2. The Commissioner and director of Agriculture, Telangana State, Fatehmaidan, Hyderabad.
3. The District Agriculture Officer, R R District, 2nd floor, SAMETI Complex, Malakpet, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action on the part of the respondents in suspending the petitioner vide memo no. ESPT.II/2262/2019 dated 21-12-2019 as arbitrary, illegal and unjust and consequently direct the respondents to take petitioner back on duty by treating the period of suspension as duty for all purposes and accordingly pay him all arrears of salary and other consequential benefits, which he is entitled to.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to review the suspension of the petitioner vide memo no. ESPTII/2262/2019 dated 21-12-2019 and to pay subsistence allowance continuously to the petitioner, pending disposal of main Writ Petition.

Counsel for the Petitioner: SRI. M V KRISHNA MOHAN

Counsel for the Respondents: GP FOR AGRICULTURE

The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.10328 OF 2020****ORDER:**

Heard learned counsel for the petitioner and learned Government Pleader for Agriculture.

2. Petitioner is working as Agriculture Extension Officer. Vide proceedings of the District Agriculture Officer, dated 21.12.2019, petitioner was placed under suspension on the allegation of demand and acceptance of bribe in processing claim under Rythu Bhima Scheme. According to learned counsel for the petitioner, on 16.03.2020, charge memo was drawn and thereafter there was no further progress. Learned counsel further submits that petitioner is not paid subsistence allowance.

3. Learned Government Pleader submits that since allegation against the petitioner is grave, he was placed under suspension.

4. Against the order of suspension, petitioner has remedy of appeal. Without availing the said remedy of appeal, this writ petition is filed.

5. Since the petitioner has an effective and efficacious remedy in the form of appeal, whereunder petitioner can raise all pleas including the allegation of non-payment of subsistence allowance, the Court is not inclined to entertain the writ petition.

6. Accordingly, the writ petition is dismissed granting liberty to the petitioner to avail the remedy of appeal and also to raise all pleas against the order of suspension. As and when appeal is filed

by the petitioner, the same shall be disposed of as expeditiously as possible preferably within a period of eight week from the date of receipt of appeal. Miscellaneous Petitions, if any, shall stand closed.

//TRUE COPY//

SD/-K.AMMAJI
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. One CC to Sri. M.V. Krishna Mohan, Advocate (OPUC)
2. Two CCs to GP for Agriculture, High Court for the State of Telangana at Hyderabad (OUT)
3. Two CD Copies.

PM 

HIGH COURT

DATED:14/07/2020

ORDER

WP.No.10328 of 2020



Dismissing the WP
Without costs.

⑤ VW
29/5/20