

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

THURSDAY, THE NINETEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 22178 OF 2015

Between:

D. Prabhakar Rao, S/o D.Surya Rao Aged about 66 years, Occ Chief Advisor
Security Staff Welfare Association Telangana State Road Transport
Corporation Karimangar Zone, Karimnagar District.

...PETITIONER

AND

1. The Andhra Pradesh State Road Transport Corporation, Rep by its Director,
(Vigilance Security) Musheerabad, Hyderabad.
2. The Telangana State Road Transport Corporation, Rep by its Joint Managing
Director, Musheerabad, Hyderabad.
3. The Joint Director (Vigilance and Security), Telangana State Road Transport
Corporation Hyderabad.
4. The Vigilance and Security Officer, Telangana State Road Transport
Corporation Karimnagar Zone, Karimnagar District.
5. B. Thirupathi, S/o. Not known to the petitioner, Occ. Security Head Constable,
Vigilance and Security Office, Bus Stand Complex, Karimnagar Town,
Karimnagar District.

Respondent No. 5 is impleaded as per C.O.dt. 08.07.2024 in IA No. 2/2015 in
(WP MP No. 29644 of 2015)

...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 proper writ order or orders, particularly one in the nature of
Writ of Mandamus declaring the action of the respondents in not considering the
reply dated 27-04-2015 to the proceedings dated 20-04-2015 and not allowing the
petitioner to participate in the enquiry is arbitrary and illegal and consequently
issue a direction to the respondents to consider the reply dated 27-04-2015 by
giving opportunity to adduce evidence

I.A. NO: 1 OF 2015(WPMP. NO: 28600 OF 2015)

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 issue a direction to the respondents to consider the reply dated 27-04-2015 to the proceedings dated 20-04-2015 by giving opportunity to participate in the enquiry by adducing the evidence pending disposal of the Writ Petition in the interest of justice

Counsel for the Petitioner: SRI MOHD ASIFUDDIN

Counsel for the Respondent No.1 to 4: SRI A. RAVI BABU (SC FOR TSRTC)

Counsel for the Respondent No.5: - - - -

The Court made the following: ORDER

HON'BLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION No.22178 OF 2015

ORDER:

Heard Sri Mohd. Asifuddin, learned counsel appearing on behalf of the petitioner and Sri A.Ravi Babu, learned Standing Counsel for TSRTC, appearing on behalf of respondent Nos.1 to 4.

2. The petitioner approached the Court seeking prayer as under:

" ... to issue a proper writ order or orders particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not considering the reply dated 27.04.2015 to the proceedings dated 20.04.2015 and not allowing the petitioner to participate in the enquiry is arbitrary and illegal and consequently issue a direction to the respondents to consider the reply dated 27.04.2015 by giving opportunity to adduce evidence such other order or orders"

3. The case of the petitioner in brief is that the petitioner is one of the members of Security Staff Welfare Association and he submitted representations dated 02.02.2015, 26.01.2015 and 23.12.2014 to the respondents alleging various irregularities committed by one B.Thirupathi, Head Constable. After receiving the said representations, respondent authorities issued proceedings dated 20.04.2015 to the petitioner stating that enquiry was conducted and it was found that the allegation in

the said representations were not proved. In response to the said notice, petitioner submitted reply dated 27.04.2015 requesting to give opportunity for participating in the enquiry to prove the charges leveled against one B.Tirupathi, however, respondents did not consider the same. It is further the case of the petitioner that in spite of petitioner's detailed reply dated 27.04.2015 in response to the notice dated 20.04.2015, respondent Nos.2 to 4 failed to consider the same. The petitioner had submitted his detailed reply dated 27.04.2015 to the said proceedings dated 20.04.2015 to the respondents Nos.2 to 4 herein and requested them to give liberty to the petitioner to participate in the enquiry to adduce the evidence pertaining to the subject issue, however, as on date, the reply of the petitioner dated 27.04.2015, to the proceedings dated 20.04.2015 had not been considered. Hence, the present Writ Petition.

4. Learned counsel appearing on behalf of the respondents submits that the writ petition could be disposed of directing the respondent No.4 to consider the reply dated 27.04.2024 submitted by the petitioner to the proceedings dated 20.04.2015 within a reasonable period in accordance to law.

5. Taking into consideration the submissions made by the learned counsel appearing on behalf of the respondents, the writ petition is disposed of directing the respondent No.4 to consider the reply dated 27.04.2015 submitted by the petitioner to the proceedings dated 20.04.2015 by giving an opportunity of personal hearing to the petitioner by enabling the petitioner to participate in the enquiry in accordance to law in conformity with principles of natural justice, duly permitting the petitioner to adduce the documentary evidence in support of the petitioner's case within a period of four(4) weeks from the date of receipt of a copy of this order and duly communicate the decision to the petitioner herein. However, there shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

//TRUE COPY//

SD/- P. GOWRI SHANKAR
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Director, The Andhra Pradesh State Road Transport Corporation, (Vigilance Security) Musheerabad, Hyderabad.
2. The Joint Managing Director, The Telangana State Road Transport Corporation, Musheerabad, Hyderabad.
3. The Joint Director (Vigilance and Security), Telangana State Road Transport Corporation Hyderabad.
4. The Vigilance and Security Officer, Telangana State Road Transport Corporation Karimnagar Zone, Karimnagar District.
5. One CC to SRI MOHD ASIFUDDIN, Advocate [OPUC]
6. One CC to SRI A. RAVI BABU (SC FOR TSRTC) [OPUC]
7. Two CD Copies

BN



HIGH COURT

DATED:19/09/2024

ORDER

WP.No.22178 of 2015



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

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28/01/25
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