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

MONDAY, THE THIRTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE K. SARATH**

**WRIT PETITION NO: 9992 OF 2023**

**Between:**

S. Ramana, S/o. Sita Ram, Aged about 35 years, Occ. Police Constable, O/o. TSSP (IR), II Battalion, Adilabad, Adilabad District

**...PETITIONER**

**AND**

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat Buildings, Hyderabad.
2. The Director General of Police, State of Telangana, Lakdikapool, Hyderabad.
3. The Additional Director General of Police, TSSP Battalion, Hyderabad.
4. The Commandant, 2nd Bn. TSSP (IR), Yapalaguda, Adilabad District.

**...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 **to declare the RC. No. 02/A6/MPR/2022 (D.O. No. 720/2022) dated 09.11.2022 issued by the 4th respondent wherein imposing the punishment of PPI for one year without effect and the consequential orders issued by the 3rd respondent vide RC.No. A6/App/31/2023 (ROO. No. 15/2023) dated 18.04.2023 wherein rejecting the appeal submitted by the petitioner is illegal arbitrary and unconstitutional in violation of rules and set aside the same with a consequential direction to consider my claim for appointment by transfer in AR constable.**

**(Prayer is amended as per C.O dt. 02/03/2026 in IA 01/2026)**

**I.A. NO: 1 OF 2023**

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 suspend the Proceedings in RC.No.02/A6/ MPR/ 2022 D O. No.720 / 2022 dated 09/11/2022 issued by the 4th respondent, pending disposal of the writ petition.

**Counsel for the Petitioner: SRI NAYAKAWADI RAMESH**

**Counsel for the Respondents: SMT A.SATYASREE,**
**AGP FOR HOME (SERVICES)**

**The Court made the following: ORDER**

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**

**THE HON'BLE SRI JUSTICE K.SARATH**

**WRIT PETITION No.9992 of 2023**

**DATE:13.04.2026**

**Between:**

S.Ramana

....Petitioner

1. The State of Telangana, represented by its Principal Secretary, Home Department and three others

...Respondents

**ORDER:**

**1.** The writ petition is filed questioning the Proc.RC.No.02/A6/MPR/2022 (DO.No.720/2022), dated 09.11.2022 issued by the respondent No.4 imposing punishment of postponement of Increment for one year without cumulative effect and the consequential orders issued by the respondent No.3 in Rc.No.A6/APP/31/2023 (ROO No.15/2023), dated 18.04.2023 wherein the appeal filed by the petitioner was rejected.

**2.** Heard Sri N.Ramesh, learned Counsel for the petitioner and Smt.A.Satyasree, learned Assistant Government Pleader for Home (Services) appearing for the respondents.

**3.** The learned counsel for the petitioner submits that the respondent No.4 initiated disciplinary proceedings against the petitioner by framing Articles of Charge vide Memo C.No.02/A6/MPR/2022 dated 25.05.2022 under Rule 22 of the TGCS (CC&A) Rules, 1991 (for brevity ' the Rules, 1991) on the allegation that he threatened his stepmother to give divorce to his father. The petitioner's stepmother also filed a criminal case against the petitioner and his brother vide FIR No.22/2022 under Sections 498-A and 506 read with 34 IPC on the file of the Women Police Station, Adilabad, and the same is pending before the competent Criminal Court.

**4.** The learned Counsel for the petitioner further submits that in response to the notice issued by the

respondents, the petitioner submitted his explanation on 30.05.2022, stating that when they questioned their stepmother for not taking proper care of their father, who had fallen ill due to paralysis, she lodged a false complaint against them. However, the respondent No.4, without considering the explanation submitted by the petitioner and without conducting any enquiry, passed orders imposing the punishment of postponement of one increment for a period of one year without cumulative effect vide Proc. RC No.A6/MPR/2022, DO No.720/2022 dated 09.11.2022. Aggrieved by the same, the petitioner preferred an appeal before respondent No.3, which came to be dismissed on 18.04.2023 without considering explanation of the petitioner and said orders are impugned in the instant writ petition.

**5.** The learned counsel for the petitioner submits that the respondent No.4 imposed the punishment without following the prescribed procedure under Rule-20 and 22 of Rules, 1991 and the respondent No.3 rejected the

appeal mechanically without considering the appeal filed by the petitioner and requested to allow the allow the writ petition by setting aside the impugned orders.

**6.** The learned Counsel for the petitioner in support of his contentions placed reliance on the following Judgment:

1. ***State of Uttar Pradesh Vs. Ram Prakash Singh*** [1]

**7.** The learned Assistant Government Pleader, basing on the counter affidavit filed by the respondent No.4, submits that the Inspector of Police, Women Police Station, Adilabad, vide Letter No.59/WPS-Add/2022 dated 09.03.2022, informed the respondent No.4 about the involvement of the petitioner in Crime No.22/2022 registered for the offences under Sections 498-A and 506 read with 34 IPC. Basing on the said report, the Assistant Commandant conducted a preliminary enquiry

[1] 2025 SCC OnLine SC 891

by recording the statements of relevant witnesses and submitted the report on 10.05.2022. In the said report, it was revealed that the petitioner had harassed his stepmother, Smt. Jayasheela, demanded over phone to give divorce to his father and forcibly obtained her signature on an agreement prepared by him. In view of the prima facie evidence regarding the petitioner's misconduct, a Charge Memo was issued under Rule 22 of the Rules, 1991. In response thereto, the petitioner submitted his explanation on 30.05.2022 and upon consideration of the memorandum of charges, the explanation submitted by the petitioner and the material on record, the respondent No.4 imposed the punishment of postponement of one increment for a period of one year without cumulative effect on future increments. The respondent No.3, upon due consideration, rightly dismissed the appeal filed by the petitioner and there are no valid grounds to interfere with the impugned orders and requested to dismiss the writ petition.

**8.** After hearing both sides and perusing the record, this Court is of the considered view that the petitioner is a Police Constable and the respondent authorities have issued Articles of Charge under Rule 22 of the Rules, 1991 and after considering the explanation submitted by the petitioner, the respondent No. 4 imposed the minor punishment of postponement of increment without cumulative effect for one year in Proc.RC No. 02/A6/MPR/2022 (DO No. 720/2022), dated 09.11.2022 and the same was confirmed by respondent No. 3 in RC No. A6/App/31/2023 (ROO No. 15/2023), dated 18.04.2023.

**9.** The main contention of the petitioner is that the respondents/disciplinary authority without following the Rule 22 of the TGCS (CCA) Rules, 1991 imposed impugned punishment merely basing on the preliminary inquiry report, without conducting the enquiry as contemplated under Sub-rules 3 to 18 of Rule-20 as mentioned in Rule 22 (b) of the Rules, 1991.

**10.** Admittedly, the punishment was imposed on the ground that the petitioner and his brother harassed their stepmother and basing on her complaint a criminal case was registered. The record clearly shows that the petitioner submitted his explanation to the Articles of Charge. Thereafter, only basing on the preliminary inquiry report, without conducting any enquiry, without giving any opportunity to the petitioner and without issuing any show-cause notice informing the petitioner about the finding of the enquiry as required under Rule 22 (a) of the Rules, 1991, the disciplinary authority straightaway imposed punishment and the appellate authority also confirmed the same which is contrary to Rule 22 of the Rules, 1991. In view of the same, the impugned order passed by the respondent No.4 and the consequential order of respondent No.3 are liable to be set aside and remand the matter for following the procedure as contemplated under the Rules, 1991.

**11.** With the above findings, the writ petition is dispcsed of by setting aside the Proc. RC No.02/A6/MPR/2022 (DO No. 720/2022), dated 09.11.2022 issued by respondent No. 4 and the consequential orders in RC No. A6/App/31/2023 (ROO No. 15/2023), dated 18.04.2023 issued by the respondent No.3 and the matter is remanded back to the respondent authorities for conducting inquiry from the stage of appointment of the Enquiry Officer as per Rule-22 of the Rule, 1991. No order as to costs.

Miscellaneous applications pending, if any, in this Writ Petition, shall stand closed. No order as to costs.

**SD/- K. BHAVANI SWAMY**
**ASSISTANT REGISTRAR**

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**SECTION OFFICER**

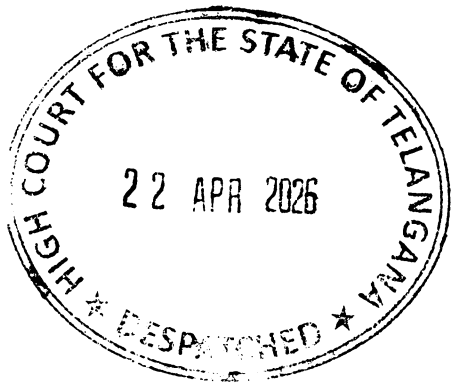
**To,**

1. The Principal Secretary, Home Department, Secretariat Buildings, Hyderabad, State of Telangana.
2. The Director General of Police, State of Telangana, Lakdikapool, Hyderabad.
3. The Additional Director General of Police, TSSP Battalion, Hyderabad.
4. The Commandant, 2nd Bn. TSSP (IR), Yapalaguda, Adilabad District.
5. One CC to SRI NAYAKAWADI RAMESH, Advocate [OPUC]
6. Two CCs to GP FOR HOME(SERVICES), High Court for the State of Telangana, at Hyderabad [OUT]
7. Two CD Copies

BSR
GJP

**HIGH COURT**

**DATED: 13/04/2026**




**ORDER**

**WP.No.9992 of 2023**

**DISPOSING OF THE WRIT PETITION,**

**WITHOUT COSTS**

10 MT
22/4/26