
(2021) 10 TEL CK 0030
In the Telangana High Court
Case No : Writ Petition No. 24729 Of 2021

M.Krishna Mohan

APPELLANT

Vs

State Of Telangana

RESPONDENT

Date of Decision : 26-10-2021

Acts Referred:

Constitution Of India, 1950 — Article 19, 21

Civil Services (Classification, Control And Appeal) Rules, 1991 — Rule 8(5)(b)

Citation : (2021) 10 TEL CK 0030

Hon'ble Judges : Abhinand Kumar Shavili, J

Bench : Single Bench

Final Decision : Disposed Of

Judgement

1. This writ petition is being disposed of at the admission stage with the consent of both parties.

2. This writ petition is filed seeking the following relief:

"..... to issue a Writ, Order or Direction more particularly one in the nature of a Writ of Mandamus declaring the action of the 1st Respondent in continuing to place the Petitioner under suspension vide proceedings No.A4/DCSA/0020/2018 dated 07/05/2018 beyond period of two years without review as being illegal, arbitrary and in violation of Rule 8 (5) (b) of Civil Services (Classification, Control and Appeal) Rules, 1991 besides being contrary to G.O.Ms.No.526 General Administration (Service-C) Department dated 19/08/2008 and G.O.Rt.No.2285 General Administration (Service-C) Department dated 18/05/2012 and Judgment of Hon'ble Supreme Court in Ajay Kumar Choudhary vs. Union of India reported in 2015 (7) SCC 291 as also in violation of Article 19 and 21 of the Constitution of India and consequently direct the Respondents to consider reinstating the Petitioner into service with all consequential benefits after setting aside the proceedings dt 07/05/2018".

3. Heard Sri Mamidi Avinash Reddy, learned counsel appearing for the petitioner

and the learned Government Pleader appearing for the respondents.

4. It has been contended by the petitioner that he is working as a Deputy Tahsildar and the disciplinary authority has placed him under suspension vide proceedings dated 07.05.2018 on the alleged ground that he was involved in an ACB trap case.

5. The grievance of the petitioner is that except placing him under suspension, the disciplinary authority has not initiated any disciplinary proceedings nor reviewed the suspension order strictly in terms of G.O.Ms.No.86 dated 08.03.1994 and G.O.Ms.No.526 dated 19.08.2008 though more than three years have elapsed.

6. Therefore, learned counsel appearing for the petitioner had contended that appropriate orders be passed in the writ petition directing the respondents to review the suspension order of the petitioner strictly in terms of G.O.Ms.No.86 dated 08.03.1994 and G.O.Ms.No.526 dated 19.08.2008 and pass appropriate orders in accordance with law.

7. Learned Government Pleader appearing for the respondents had contended that the respondents would review the suspension order of the petitioner strictly in terms of G.O.Ms.No.86 dated 08.03.1994 and G.O.Ms.No.526 dated 19.08.2008 and appropriate orders would be passed in accordance with law.

8. This Court, having considered the rival submissions of learned counsel for the parties, is of the considered view that this writ petition can be disposed of directing the respondents to review the suspension order of the petitioner strictly in terms of G.O.Ms.No.86 dated 08.03.1994 and G.O.Ms.No.526 dated 19.08.2008 and pass appropriate orders in accordance with law, within a reasonable period, preferably within a period of eight weeks from the date of receipt of a copy of this order.

9. With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.