

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
THURSDAY ,THE TWENTY SECOND DAY OF AUGUST TWO THOUSAND AND
TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 21427 OF 2024

Between:

Smt. P. Aruna, W/o. Sri. Siddipeta Narsing Rao, Aged about 43 Years, Occ
Junior Panchayat Secretary, Gram Panchayat, Batasingaram, Abdullapurmet
Mandal, R/o. H. No. 1-4-11, Kandhiguda, Sainikpuri, Secunderabad,
Hyderabad, Telangana State.

Petitioner

AND

1. The State of Telangana, represented by its Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat, Hyderabad.
2. The Commissioner of Panchayat Raj and Rural Employment Telangana State, Urdu Hall Lane, Himayathnagar, Hyderabad
3. The District Collector (PW), Ranga Reddy District
4. The Additional Collector(Local Bodies), Ranga Reddy District, Telangana State

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 Orders more particularly one in the nature of Writ of Mandamus declaring (1) the impugned Proceedings No.2141/2024-A19Pts) dated 19.07.2024 issued by the Respondent No.3 in placing the petitioner under suspension (2) Proceedings No.2141/2024-A1(Pts) dated 10.07.2024 transferring the petitioner from Batasingaram Gram Panchayat, Abdullapurmet Mandal to Verannapet Panchayat of Jilled Chowdergudem Mandal, Ranga Reddy District issued by the Respondent No.4 as arbitrary, illegal and mis-use of colourable exercise of power contemplated under law, without jurisdiction and unconstitutional and consequently direct the respondents to reinstate the petitioner into service as Panchayat Secretary, Gram Panchayat Batasingaram, Abdullapurmet Gram Panchayat with all consequential benefits;

IA NO: 1 OF 2024:

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 (1) the impugned Proceedings No.2141/2024 A1(pts) dated 19.07.2024 issued by the Respondent No.3 in placing the petitioner under suspension (2) Proceedings No.2141/2024-A1(Pts) dated 10.07.2024 transferring the petitioner from Batasingaram Gram Panchayat, Abdullapurmet Mandal to Verannapet Panchayat of Jilled Chowdergudem Mandal, Ranga Reddy District issued by the

Respondent No.4 pending disposal of the WP 21427 of 2024, on the file of the High Court. /

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI A P REDDY Advocate for the Petitioner and GP FOR SERVICES – II for the Respondents, the Court made the following. /

ORDER:

Notice before admission.

Learned Government Pleader for Services-II takes notice for all the respondents, waives further notice and seeks time to file counter affidavit.

In view of this waiver, Registry is directed not to take out notices to the respondents. /

Learned counsel for the petitioner submits that while the petitioner is working as Junior Panchayat Secretary, the third respondent has issued a show cause notice dated 19.07.2024 calling upon the petitioner to submit his explanation within a period of seven days from the date of receipt of said order. However, without waiting for expiry of said date, the impugned order of the even date i.e. dated 19.07.2024 was passed by the third respondent placing the petitioner under suspension, without having jurisdiction. Though the petitioner has submitted his explanation on 24.07.2024 i.e. before expiry of the time stipulated in the show cause notice dated 19.07.2024, till date, no steps are taken thereon. Learned counsel further submits that similar issue fell for consideration before this Court in W.P. No.17531 of 2017 wherein this Court passed interim order on 02.06.2017 in favour of the petitioner therein on the ground that the District Collector had no jurisdiction. /

In view of the above, this Court is of the *prima facie* view that the third respondent had no jurisdiction to issue the impugned suspension order dated 19.07.2024. /

Hence, there shall be interim suspension of the impugned proceedings dated 19.07.2024 issued by the third respondent and the respondents are directed to reinstate the petitioner into service forthwith. /

Post on 03.10.2024 for counter. /

//TRUE COPY//

**SD/-P. GOWRI SHANKAR
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj and Rural Development Department, State of Telangana Secretariat, Hyderabad.
2. The Commissioner of Panchayat Raj and Rural Employment Telangana State, Urdu Hall Lane, Himayathnagar, Hyderabad
3. The District Collector (PW), Ranga Reddy District
4. The Additional Collector(Local Bodies), Ranga Reddy District, Telangana State (1 to 4 by RPAD) ✓
5. One CC to SRI. A P REDDY Advocate [OPUC] ✓
6. Two CCs to GP FOR SERVICES - II, High Court at Hyderabad. [OUT] ✓
7. One spare copy

HIGH COURT

PKJ

DATED:22/08/2024

POST ON 03.10.2024

ORDER

WP.No.21427 of 2024

DIRECTION

