

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

WEDNESDAY, THE TWELFTH DAY OF JUNE
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

**THE HONOURABLE SRI JUSTICE PULLA KARTHIK
WRIT PETITION NO: 14374 OF 2024**

Between:

Sri Ram Linga Rao, S/o Guruvaiah, Aged 43 years, Occ: Sub-Inspector (Civil) (under suspension), R/o Ramchandranagar Village, Chilukuru Mandal, Suryapet District

Petitioner

AND

1. The State of Telangana, Rep. by its Principal Secretary to Government, Home Department, Telangana Secretariat, Hyderabad
2. The Director General of Police, Telangana, Hyderabad
3. The Deputy Inspector General of Police, Hyderabad Range, Hyderabad
4. The Commissioner of Police, Hyderabad City

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 especially one in the nature of Writ of Mandamus declaring that
a) the action of the Respondents in not reinstating the Petitioner into service in pursuance of judgment of the VI Addl. Chief Metropolitan Magistrate, Hyderabad in C.C.No.741 of 2013, dated 30.03.2024 is illegal, arbitrary and discriminatory violating Article 14 and 16 of the Constitution of India.

b) further declare that, Petitioner shall be reinstated into service forthwith;

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 direct the Respondents to reinstate the Petitioner into service by revoking the order of suspension passed against the Petitioner in R.O.No.653/2013 by Rc.No.97/D1- 5/HR/2011-13, dated 12.08.2013, Pending disposal of WP 14374 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 M.Surendar Rao, learned Senior Counsel representing Sri Srinivasa Rao Madiraju Advocate for the Petitioner, GP FOR SERVICES(HOME) for the Respondents and the Court made the following.

ORDER:

Notice before Admission.

Learned Special Government Pleader for Services (Home) takes notice on behalf of the respondents, waives further notice and seeks time to file counter.

Registry is directed not to take out notice to the respondents in view of the above waiver.

Sri M.Surendar Rao, learned Senior Counsel representing Sri Srinivasa Rao Madiraju, learned counsel for the petitioner submits that the petitioner was appointed as Sub-Inspector of Police (SCT) on 13.12.2010. While things stood thus, the petitioner was placed under suspension *vide* proceedings, dated 12.08.2013 on the ground of registration of a criminal case against him. Subsequently, a charge memo was issued to the petitioner on 15.10.2013. Challenging the same, the petitioner has filed O.A.No.2660 of 2014 before the learned A.P. Administrative Tribunal, Hyderabad and the learned Tribunal has granted stay of disciplinary proceedings till the conclusion of criminal proceedings. It is further submitted that though the petitioner was kept under suspension way back in the year, 2013, the subsistence allowance was paid only till 31.07.2017 and thereafter, the respondents have not paid subsistence allowance to the petitioner. Learned counsel for the petitioner further submits that the petitioner is entitled for arrears of subsistence allowance and for continuation of payment of subsistence allowance till his reinstatement.

Learned Special Government Pleader submits that respondents will pay the subsistence allowance to the petitioner subject to production of non-employment certificate during suspension period.

In view of the submissions made by the learned counsel for the respective parties, there shall be interim direction to the respondents to pay arrears of subsistence allowance from 31.07.2017 and shall continue to pay the subsistence allowance to the petitioner till his reinstatement subject to the production of non-employment certificate during suspension period.

Post on 24.07.2024 for counter.

SD/- K.VENKAIAH
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary to Government, Home Department, State of Telangana, Telangana Secretariat, Hyderabad

2. The Director General of Police, Telangana, Hyderabad
3. The Deputy Inspector General of Police, Hyderabad Range, Hyderabad
4. The Commissioner of Police, Hyderabad City
(Addresses 1 to 4 by RPAD)
5. One CC to SRI. SRINIVASA RAO MADIRAJU Advocate [OPUC]
6. Two CCs to GP FOR SERVICES(HOME), High Court at Hyderabad. [OUT]
7. One spare copy

HIGH COURT

PK, J

DATED:12/06/2024

**NOTE: POST ON 24.07.2024
FOR COUNTER**

ORDER

WP.No.14374 of 2024

INTERIM DIRECTION

