

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

TUESDAY, THE NINETEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 24432 OF 2025

Between:

T.Raj Kumar, S/o. T.Niranjan.

Petitioner

AND

1. The State of Telangana, Represented by its Principal Secretary (Home), Secretariat (Telangana), Hyderabad.
2. The Commissioner of Police, Hyderabad.
3. The Deputy Commissioner of Police, South East Zone, Hyderabad
4. The Assistant Commissioner of Police, Santoshnagar Division, Hyderabad.
5. The Station House Officer, IS Sadan Police Station, Hyderabad.
6. The Inquiring Authority, Assistant Commissioner of Police, Secretariat Security (L & O), Hyderabad.

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 declaring the action of the 2nd respondent in continuing with the impugned disciplinary proceedings bearing No. HCP/B1/B1/B20/0008/2024 and No. L & O/B1/B1/29/2024 dated 15-07-2025 despite pendency of criminal proceedings on the same issue vide C.C. No. 3136 of 2024 on the file of Hon'ble VII Additional Chief Metropolitan Magistrate, Hyderabad as illegal, arbitrary, unknown to service jurisprudence, violative of Articles 14 and 21 of the Constitution of India and Consequently, direct the Respondents not to proceed further with the disciplinary proceedings bearing No. HCP/B1/B1/B20/0008/2024 and No. L & O/B1/B1/29/2024 dated 15-07-2025 till the judgment in criminal proceedings bearing C.C. 3136 of 2024 is decided by the file of VII Additional Chief Metropolitan Magistrate, Hyderabad.

IA NO: 1 OF 2025

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 stay all further disciplinary proceedings bearing No. HCP/B1/B1/B20/0008/2024 and No.L&O/B1/B1/29/2024 dated 15-07-2025 issued by the 2nd respondent and consequential

proceedings bearing No.0E/ACP/SS/Hyd/2025-2 dated 07-08-2025 issued by the 6th respondent, pending disposal of WP 24432 of 2025, 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 N Krishna Sumanth, Advocate for the Petitioner, GP FOR HOME for the Respondents and the Court made the following.

ORDER:

Notice before Admission.

Learned Government Pleader for 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.

Learned counsel for the petitioner submits that a case in Crime No.11 of 2024 on the file of Station House Officer, I.S. Sadan Police Station, Hyderabad. was registered against the petitioner on 11.01.2024, in connection with an accident case, for the offence punishable under Section 337 of the Indian Penal Code, 1860 (for short 'IPC). Subsequently, during the course of investigation, the victim passed away, hence, the section of law was altered to 304(A) IPC and Section 196 of Motor Vehicles Act, 1988. After filing of charge sheet, the case was numbered as C.C. No.3136 of 2024 on the file of learned VII Additional Chief Metropolitan Magistrate at Hyderabad. It is further submitted that on the same set of facts, disciplinary proceedings were initiated against the petitioner and he was suspended from service pursuant to proceedings dated 05.02.2024. Consequently, impugned proceedings dated 15.07.2025 were issued appointing an Inquiry Authority to conduct departmental inquiry against the petitioner, which is contrary to the judgment of the Hon'ble Apex Court in Capt.M.Paul Anthony v. Bharat Gold Mines Limited and another reported in (1999) 3 SCC 679), wherein it was categorically held that it would be desirable to stay the departmental proceedings till the conclusion of the criminal case. Therefore, learned counsel seeks indulgence of this Court.

Learned Government Pleader for Home submits that there is no legal bar for Disciplinary Authority to initiate disciplinary action pending criminal proceedings, as the departmental enquiry and criminal proceedings are two different aspects and they can be conducted simultaneously.

A perusal of record would disclose that on the basis of criminal case registered against the petitioner, the departmental enquiry was initiated against him. Since the facts and the evidence in both the proceedings, namely, the departmental proceedings and the criminal case are the same, this Court deems it fit and proper to stay the departmental inquiry till the conclusion of criminal proceedings.

Having regard to the submissions made by the learned counsel for the respective parties and in view of the law laid down by the Hon'ble Apex Court in Capt. M.Paul Anthony's case (referred supra), there shall be interim stay of the departmental inquiry pursuant to impugned proceedings issued by respondent No.2 vide

No.HCP/B1/B1/B20/0008/2024 and No. L&O/B1/B1/29/2024 dated 15.07.2025 till conclusion of criminal case in C.C. No.3136 of 2024 on the file of learned VII Additional Chief Metropolitan Magistrate at Hyderabad (arising out of Crime No.11 of 2024 on the file of Station House Officer, I.S.Sadan Police Station, Hyderabad).

Post this matter on 29.10.2025 for counter.

**SD/-A.V.S PRASAD
DEPUTY REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Represented by its Principal Secretary (Home), Secretariat (Telangana), State of Telangana, Hyderabad.
2. The Commissioner of Police, Hyderabad.
3. The Deputy Commissioner of Police, South East Zone, Hyderabad.
4. The Assistant Commissioner of Police, Santoshnagar Division, Hyderabad.
5. The Station House Officer, IS Sadan Police Station, Hyderabad.
6. The Inquiring Authority, Assistant Commissioner of Police, Secretariat Security (L and O), Hyderabad.
(For 1 to 6 by RPAD)
7. One CC to SRI N KRISHNA SUMANTH Advocate [OPUC]
8. Two CCs to GP FOR HOME, High Court at Hyderabad. [OUT]
9. One spare copy

HIGH COURT

PK,J

DATED:19/08/2025

POST ON 29.10.2025 FOR COUNTER.

ORDER



WP.No.24432 of 2025

INTERIM STAY