

HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR

WRIT PETITION (TR) No. 5598 OF 2017

ORDER:

This writ petition(TR) has been filed seeking to *“call for records relating to order bearing No DO.No.03/2015, C.No 19/RI-HGs/ADD/2015, dated 09.01.2015 of the 3rd Respondent and set-aside the same as illegal, arbitrary, violative of principles of natural justice and Article 14 and 16 of the Constitution of India and consequently direct reinstatement of applicant as Home Guard with all consequential benefits as though the impugned order was never made and pass such other order or orders”*

2. Learned counsel for the petitioner submits that petitioner/applicant (hereafter called 'petitioner') was appointed as Home Guard in Home Guards Organization on 02-09-2002. After completion of training, petitioner was posted to Hajipur Police Station, Mancherial. On 02.03.2013, petitioner was posted to FCI Food Storage Depot, Mancherial. However, on 07.03.2013, the Manager of FCI has addressed a letter to Divisional Supertindent of Police, Mancherial stating that the petitioner is coming to office in drunken condition and he is not obliging to FCI official and also request to replace the petitioner with other Home guard to

safeguard the FCI National Properties. Thereafter, on 07.03.2013, the Inspector of Police, Mancherial Police Station, Adilabad District has addressed a letter to Duty Medical Officer, Government Area Hospital, Macherial to examine the petitioner and issue necessary certification to specially state whether the petitioner is in intoxication state or not and on the same day, i.e., 07.03.2013, the Duty Medical Officer examined the petitioner and stated that the petitioner is *"under the influence of alcohol of mild degree"*. Thereafter, Sub-Divisional Police Officer, Manchiryal addressed a letter along with Report of Manager, FCI and medical opinion of the Medical Officer to Superintendent of Police, dated 14.03.2013, vide C.No.247/SDM/2013, dated 14.03.2013 stating that the petitioner is not doing his duty properly and he is habituated to consume liquor and request to take action against him, subsequently, the petitioner was suspended, vide C.No.37/RI/HG/add/2013, dated 11.05.2013. Thereafter, on 06.06.2013, a show-cause notice was issued to the petitioner on 06.06.2013, vide C.No.37/RI/HG/ADD/2013, to submit explanation within 10 (days). Thereafter, petitioner submitted explanation on 17.06.2013 before Superintendent of Police requesting to revoke the suspension order on humanitarian ground. Thereafter, enquiry was conducted by Inspector of Police, Manchiryal, vide C.No.93/L1/2014, dated 25.04.2014 and held that

the petitioner used to consume alcohol and attend for duties. On 07.03.2013 at 14-00 Hrs to 18-00 the petitioner has to attend duty but the petitioner arrived in advance to Godown by 11.00 hrs in drunken state and after having lunch he slept in the veranda to attend his duty from 14.00 hrs to 18.00 hr. However, the manager observed that the petitioner was in sleeping in drunken state and immediately the petitioner was sent to Medical Examination and the Medical officer has also confirmed the same that the petitioner is under the influence of alcohol of mild degree, hence the petitioner has attended his duty in drunken state and submitted a report that the charges are proved. Thereafter, Superintendent of Police, Adilabad has issued another show cause notice, vide C.No.37/RI/HG/ADD/2014, dated 26.12.2014 and submit the explanation within (10) days. On 07.01.2015, the petitioner submits his explanation stating that on 07.03.2013, and the petitioner has attended function of his friend and thereafter went to attend duty and admitted that due to force from petitioner's family member, he has consumed little bit of alcohol and immediately rushed to work place. Subsequently, Committee members of Home Guards Organization comprising of i) Member-Dy.Superintendent of Police, Adilabad District, ii) Convener-Commandant (T), Home Guards, Hyderabad and iii) Chairman, Superintendent of Police, Adilabad

District has held committee meeting, vide Rc.No.35/RI-HGs/ADD/2015, dated 09.01.2015 and held that frequent complaints were received stating that the petitioner is coming to duty in drunken condition and recommended for removal. Finally, Superintendent of Police, has issued removal order, vide D.No.03/2015, C.No.19/RI-HGs/ADD/2015, dated 09.01.2015. Aggrieved by the same, this writ petition(TR) is filed.

3. Learned counsel for the petitioner submits that Enquiry Officer conducted the enquiry and submitted enquiry report on 25.04.2014, vide C.No.93/L1/2014 and the show cause notice was served on petitioner calling for explanation prior to the said enquiry and the enquiry report was also not communicated to the petitioner and submits that it is settled law that the report of the Enquiry report has to be communicated to the delinquent employee.

4. Learned counsel for the petitioner further submits that Section 11 of A.P.Home Guards Act, 1948 provides that Home Guards acting in the exercise of their power or the discharge of their duties under the Act shall be deemed to be public servant within the meaning of Section 21 of Indian penal Code. Section 7 of the Act, provides that Home Guard when called out for discharging duties assigned to him by or under the Act shall have the same

powers, privileges and protection as an officer of the Police of the Police appointed under Hyderabad City Police Act (Act IX of 1348 F) or A.P. (Andhra Area) District Police Act, 1859. Article 311(2) of the Constitution squarely applies to the post of Home Guard and he shall not be dismissed or removed expect after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity. But in the instant case, the Enquiry was conducted behind the back of the petitioner and no charge memo was issued to the petitioner. Therefore, the impugned order is illegal and violative of principle of natural justice.

5. Learned counsel for the petitioner further relied upon the judgment of this Division Bench in *State of Andhra Pradesh and others Vs. P.Prasad Rao and another*¹, wherein para Nos.12 to 15 which are extracted hereunder:

12. Rule 7 of the Rules stipulates that for the purpose of administration and discipline, the HGs shall be under the control of the Commandant, and in his absence, under the control of the adjutant and other staff officers appointed if any. Sub-rule (4) of Rule 7 of the Rules confers the power on the Commandant to impose on any HG the penalties, namely, reprimand, suspension, reduction of rank, removal and dismissal. But, in all such cases, a reasonable opportunity shall be given to the delinquent HG to

¹ 2012(1)ALD 76(DB)

show-cause against the penalty proposed to be imposed on him. In exceptional cases, however, the issue of show-cause notice can be waived for special reasons to be recorded in writing by the Commandant. If any penalty is imposed by the Commandant, it is final and no appeal is provided. It may also be mentioned that as per Rule 7(5) of the Rules, the Commissioner of Police in the Presidency-town and the District Superintendent of Police in districts may direct the suspension, removal or dismissal of a HG for good and sufficient reasons.

13. From the conspectus of the provisions of the Act and the Rules, there cannot be any doubt that though the members of HGO hold office on a honorary basis, they discharge very important sovereign functions. The protection of persons, security of property and preservation of public order or tranquility are, without any doubt, important State functions. The HGs who are appointed to discharge these functions are also conferred with the powers and privileges of an officer appointed under the Hyderabad City Police Act or the District Police Act. In our considered opinion, though they work on honorary basis, by reason of Sections 3 and 7 of the Act they are appointed in connection with affairs of the State and as a necessary corollary hold civil posts. This view is also supported by an unreported decision of the Division Bench of this Court in V. Rajulu v. The Superintendent of Police, WA No. 1005 of 1998, dated 25.12.2001, wherein it was held that, the provisions of Sections 3, 4, 5, 7, 8 and particularly Section 11 of the Act make it abundantly clear that the HGs are in the service under the State.

14. There is no quarrel with the purport of Rule 7(4) of the Rules, which mandates that every order imposing penalty passed by the Commandant shall be preceded by a "reasonable opportunity" and the delinquent HG shall be asked to show-cause why the penalty should not be imposed on him/her. When the rules themselves prescribe the issue of show-cause notice so as to provide reasonable opportunity to delinquent HG, any breach thereof must lead to invalidation of the order of punishment imposed by the Commandant. Therefore, we cannot find fault with the orders passed by the learned Tribunal which are subject-matter of WP Nos. 7656, 10704, 11595, 12585 and 21661 of 2011. These writ petitions are, therefore, liable to be dismissed. Reasonable opportunity

15. Whether issue of show-cause notice calling upon the delinquent HG to submit explanation against penalty proposed to be imposed would satisfy the principles of natural justice? We are afraid, it would not. Though Rule 7(4) of the Rules speaks of issue of show-cause notice only against the penalty proposed to be imposed, having regard to settled rules of interpretation we do not hesitate to hold that the showcause notice contemplated under Rule 7(4) of the Rules must also spell out the allegations/charges or contraventions levelled against the HG, proposed for removal/dismissal. Such show-cause notice may contain the imputations and the material which is the basis for them. As otherwise, mere issue of show-cause notice calling upon for the explanation against penalty proposed would be futile, and unless and until the delinquent HG is aware of charges/imputations levelled against him, he cannot effectively put forth his case even for reduction of the punishment

proposed. The principle of legality is well settled. The Legislature never intends the enforcer of the law or the executive to act arbitrarily or unreasonably. The Legislature is presumed never to have intended the decision maker to arrive at a decision in an unfair manner. It should be the endeavour of the Court to read adherence to fairness and compliance with the principles of natural justice in every action taken under the statute or otherwise unless and until the statute itself specifically excludes the compliance with the rules of natural justice."

6. Learned counsel for the petitioner further relied upon the judgment of this Division Bench in *Davinder Singh and others Vs. State of Punjab and others*², wherein para Nos.26 to 30 which is extracted hereunder:

"26. The language employed in the Rule is clear and unambiguous. The Rule envisages that any officer may be dismissed from service either for misconduct or for unauthorized absence. Proviso appended to the Rules speaks of giving an opportunity of hearing to the delinquent officer or the member appointed under the Act and the Rules. It is an admitted position that no such opportunity of hearing or notice was given to the appellants in the present case as is required under Rule 27. In this view of the matter, the respondents cannot be permitted to contend that the appellants being 'volunteers', their services could be terminated without complying with the procedure prescribed in the Statutory Rules, which speaks of

² (2010) 13 SCC 88

providing an opportunity of hearing to the person who would be affected by the proposed action.

27. To us, it appears, after going through the Act and the Rules framed thereunder, that the expression `volunteers' appears to be misnomer. We do not intend to dwell on this issue, since we are told that the writ petitions for the regularization of similarly placed persons are pending before the High Court

28. The facts and circumstances pleaded by the appellants and the number of years they have spent as `volunteers' and since they have no other avenue for their alternate employment because of their age factor, we are impelled to look into the reason for the termination of the services of the appellants. The letter discharging their services explicitly states that the reason for discharge is the indiscipline at Amritsar railway station before the appellants were to board the train for Maharashtra on election duty. Therefore, in our view, it is not a case of discharge simplicitor. Under Rule 18 of the 1963 Rules, any member appointed under the rules may be discharged at any time by the authority which had appointed him when his services are no longer required. If it is instance of discharge simplicitor, it would necessarily relate to instances where the post has been abolished or where there is a surplus of employees or other similar circumstances. The respondents have not raised the existence of any circumstances which required the discharge of any volunteers, neither has it been urged that there exists any condition which would require the appellants specifically to be discharged apart from the allegation of indiscipline. Therefore, in our view, services of the appellants

are discharged for acts of alleged misconduct. It casts a stigma on their competence and affects their future career.

29. In our considered view, even in matters of discharge, the authority concerned cannot act arbitrarily while discharging an employee. However, in the instant case, the appellants are being discharged from service for indiscipline. Therefore, as provided in proviso to rule 27 of the rules, the appellants should have been given a reasonable opportunity of showing cause against the action proposed to be taken against them. Admittedly, no such opportunity was given to them. Therefore, we are of the view that the action of the respondents is contrary to their own statutory rules and in violation of principles of natural justice."

7. Learned counsel for the petitioner would further submits that though show cause notices were served on petitioner but the enquiry was conducted behind the back of the petitioner and the petitioner was not given fair opportunity of hearing before passing impugned order, dated 09.01.2015, hence, pray this Court to allow the Writ Petition (TR) by setting aside the impugned order dated 09.01.2015 passed by the respondent No.3 and consequently direct the respondent to reinstatement of the petitioner as Home Guard with all consequential benefits.

8. Sri M.V.Rama Rao, learned Special Government Pleader for Home appearing for respondents submits that on 07.03.2013, the manager of FCI has addressed a letter to Divisional Superintendent of Police, Mancherial making certain serious allegation against the petitioner which reads as:

"This is to inform you that Sri G.Narsaiah, No.235 Home Guard deputed to FCI from your office not doing his duties promptly and boost and he is coming to office in drunken condition he is not obeying to FCI Officials.

Hence Kindly replace a good official in his place to safeguard the FCI National Properties.

On receipt of said complaint and on the very same day, i.e., 07.03.2013, the Inspector of Police, addressed a letter to Duty Medical Officer, Government Area Hospital, Mancheiral with a request to examine the petitioner and issue necessary certification whether the petitioner is in intoxication state or not?, subsequently, Civil Assistant Surgeon, Area Hospital (APVVP) Macherial District, Adilabad had a check-up of the petitioner at 07.30 PM and came to conclusion that the petitioner "IS UNDER THE INFLUENCE OF ALCOHOL OF MILD DEGREE." Subsequently, Sub-Divisional Police Officer, Manchiryal addressed a letter dated 14.03.2013 to respondent No.3, which reads as under:

"On 07-03-2013 at 1800 hours the Manager (Depot) FCI, Food Storage Depot, Manchiryal sent a report stating that,

the HG 235, G.Narsaiah is not attending his duties properly and he is coming to office in drunken condition. He requested to depute a good Home Guard in place of him.

On receipt of the same, I have instructed the Inspector of Police, Manchiryal to get the presence of HG 235 G.Narsaiah and send him for medical examination for his drunkenness. Accordingly, he referred the HG 235 to Duty Medical Officer Govt.Area Hospital, Manchiryal who examined the HG on 07-03-2013 at 7.30 PM and issued report Stating that "the patient is conscious, in coherent and he is under the influence of alcohol of mild degree."

The enquiry with the SI Hajipur revealed that, the HG 237, G.Narsaiah worked at P.S., Hajipur for a long period. He is improper in duties and habituated to consume liquor.

Therefore I request the kind officer to take action against HG 237, G.Narsaiah of Manchiryal Home Guard Unit by removing him from service."

9. Learned Special Government Pleader for Home further submitted that petitioner was suspended, Vide C.No.37/RI/HG/Add/2013, dated 11.05.2015 and thereafter issued show-cause notice to the petitioner on 06.06.2013, to submit his explanation within (10) days. On 17.06.2013, the petitioner submitted his explanation to revoke the suspension on humanitarian ground. However, the petitioner's explanation was not convincing, therefore enquiry was conducted by Inspector of Police, Mancherial

and submits detailed report was submitted, dated 25.04.2014 which reads as:

“In this regard I summoned Sri. K. Madhava Rao, Manager, Godown in charge for enquiry, but he was transferred to Benglore, as such he is not available. Further I examined witnesses HGs 258 Venkatesh, HG No. 893 Bathula Radhakrishna, HG No. 236 M. Surender who are deputed to Godowns duty along with HG 235 G. Narsaiah and recorded their statements.

During my enquiry it is revealed that, HC 235 G. Narsaiah was enrolled as Home guard in the year 2002 and worked at Mancherial Unit On 02-03-2013 he was deputed for to attend duties at FCI Food storage Depot, Mancherial, as and when HG 235 G. Narsaiah is used to consume alcohol and attend for duties. On 07-03-2014 at 0600 hours to 1400 hours HGs 258 attended for morning shift duty and HG 235 G.Narsaiah has to attend for duty from 1400 hours to 1800 hours, but said HG 235 G.Narsaiah arrived in advance to Godowns by 1100 hours in drunken state with lunch and after having lunch he slept in the warranda to attend his duty from 1400 hours to 1800 hours. But in the mean time the at about 1200 hours the Manager, Godowns, Mancherial has observed him in sleeping state in drunken state and put up report against him. During the Medical examination, Medical Officer issued report that said HG 235 G.Narsaiah was under the influence of alcohol of mild degree. Thus it is proved that, on 07.03.2013 at 1400 hours HG 235 G.Narsaiah of Mancheiral has attended his duty in drunken state.”

10. On 26.12.2014, another show cause-notice was issued to the petitioner stating as *"Being a member of disciplined and uniformed force your attitude is not tolerable for your gross misconduct in duties. In the above circumstances why should not be sent a report against you. Hence you are instructed to submit your explanation within (10) days with receipt of the notice."* Thereafter, learned petitioner submitted his explanation which reads as:

"In view of above, I respectfully submit that I was deputed to attend FCI Duties at Mancherial by the HG incharge and I have attended the duties time to time. Unfortunately one day there was delay caused in attending duties due to delay in journey from Hajipur to my working place. It was noticed by the Manager, FCI and he warned me to attend the duty promptly. Since then I have been attending duties without any remark. I am of lean built and due to heavy sunlight and due to long journey from Hajipur to Mancherial my appearance was seems to be noticed by the Manager FCI as I was under influence of alcohol. In fact till now I did not attend duties in drunken state.

On 07-03-2013 I have attended a function of my friend and went to attend duty evening hours. Due to force from my friends family members I consumed little bit of alcohol and as I have to attend duty, immediately rushed to my work place, but the Manager FCI who was waiting for opportunity intentionally complained against me.

However I will not repeat such things in future and obey the instructions of my superior officers in attending the duties."

11. Learned Special Government Pleader would further submits that petitioner has fairly conceded that in his explanation dated 07.01.2015, that he has done his duty on 07.03.2013 in drunken state. Subsequently respondent authorities formed a Committee with the members of Home Guards Organization comprising of i) Member-Dy.Superintendent of Police, Adilabad District, ii) Convener-Commandant (T), Home Guards, Hyderabad and iii) Chairman, Superintendent of Police, Adilabad District has held committee meeting, vide Rc.No.35/RI-HGs/ADD/2015, dated 09.01.2015, wherein it was held that:

- i) "Frequently complaints that he has been coming to duties in drunken condition.
- ii) Supported by medical checkup certificate.
- iii) Unfit for duties.
- iv) Recommended for removal."

12. Learned Special Government Pleader would further submit that the petitioner was given every opportunity to prove his innocence, but the petitioner only pleaded to revoke his suspension and also in his explanation dated 07.01.2015 the petitioner has clearly admitted that he has attended the duty in drunken condition. Learned counsel further submits that Home Guard service

is a voluntary service and conduct of enquiry under the APCS (CC&A) Rules is not necessary as it does not apply to Home Guard. As per the A.P. Police Manual Chapter 52 Home Guards Organization Para No.937(7) of the Commandant or the Superintendent of Police as the case may be and the officer superior to them are empowered to suspend or remove or impose a fine not exceeding a sum prescribed as daily allowance on any Home Guard under his control for neglect or refuse to discharge the duties and responsibilities entrusted to him or fails to obey any lawful order and the respondent authorities has followed the procedure prescribed to be followed before removing of the Home Guard, under Rc.No.673/HGs.Esst-I/2012, Memorandum dated 18.09.2012 and thereafter respondent authorities impugned proceeding to removal of the petitioner from the Home Guard Organization, vide impugned order (District Order) D.O.No.03/2015, C.No.19/RI-HGs/ADD/2015, dated 09.01.2015 and pray this Court to dismiss the writ petition(TR).

FINDING & CONCLUSION:

13. The petitioner has categorically stated in his defence that respondent authorities did not give a fair opportunity before passing impugned proceeding, vide impugned order (District Order) D.O.No.03/2015, C.No.19/RI-HGs/ADD/2015, dated 09.01.2015.

However, on perusal of records, it reveals that petitioner was given every opportunity to prove his innocence and also the fact that petitioner himself had admitted that he has attended the duty in drunken condition on 07.03.2013 and the report of the Medical Officer, dated 07.03.2013 has also confirmed the same that the petitioner was under the influence of alcohol of mild degree. The petitioner was also given an opportunity to challenge the impugned order dated 09.01.2015 before the Appellate Authority within two (2) months of the said order, but the petitioner failed to file any appeal before Appellate Authority, but straightaway filed this Writ Petition(TR) in belated stage i.e., after more than one year along with condone delay petition, however, the same was condoned on 11.02.2016, which clearly states that petitioner has not availed his legal remedy within time.

14. The judgments relied upon by the learned counsel for the petitioner does not come in support his case, in view of the fact that several opportunities were given to the petitioner and thereafter enquiry was conducted and the committee held that the explanation given by the petitioner is not convincing and the committee has examined the entire issue on the merits as per the records during the meeting held on 09.01.2015, and finally

recommended the removal of the petitioner from the Home Guard Department of Adilabad District.

15. The Hon'ble Supreme Court in **State of Uttarakhand and Other Vs.Prem Ram**³, observed that the scope of judicial review with regard to the serious act of misconduct involving drunkenness and misbehavior which has been proved in the medical report and fact that respondent was a member of police service is unbecoming of responsible officer, the entire order hereunder is extracted for ready reference:

"In 1987, the respondent joined service as a Constable and was posted in the District of Pithoragarh, Uttarakhand. While he was posted at Berinag, Uttarakhand it was alleged that he was found in an inebriated state on 1-11-2006 and was misbehaving with the public. He was brought to the police station and was confined to the barracks. A medical examination was done, which showed that he was under the influence of alcohol. A charge sheet was issued to the respondent on 24-2-2007. After a disciplinary enquiry, the enquiry officer found that the charge of misconduct was substantiated. Following this, a notice to show cause was issued on 3-5-2007. The respondent submitted his reply on 8-5-2007. On 16-5-2007. The Superintendent of Police, Pithoragarh passed an order of dismissal, holding that the charge of drunkenness and misbehavior had been proved. In the writ proceedings instituted by the respondent, on 21-4-2010, the High

³ (2020)12 SSC 658:2019 SCC Online SC 435

court disposed of the matter by relegating him to the remedy of a statutory appeal. The appeal was dismissed by the Inspector General of Police, Kumaon Range on 28-8-2010 and a revision was dismissed by the Additional Director General of Police on 19-5-2011."

2. The writ petition instituted by the respondent against the order dated 19-5-2011 was dismissed by a single Judge of the High Court on 15-9-2014. In the Special Appeal instituted by the respondent, a Division Bench of the High Court by its judgment and order dated 30-10-2014 allowed the appeal and directed that the dismissal from service be converted to compulsory retirement. The Division Bench held that the past conduct of the respondent should not have been taken into consideration and that since he had completed 25 years of satisfactory service in the police department, the punishment of dismissal seems to be excessive. The State of Uttarakhand has challenged the order of the High Court in the present proceedings. Notice was issued by this Court on 7-07-2015. The office report indicates that service is complete. The respondent has not appeared in these proceedings. The charge against the respondent was of a serious act of misconduct involving drunkenness and misbehavior with the public. The fact of intoxication was duly proved in the medical report. Having regard to the seriousness of the charge of misconduct and the fact that the respondent was a member of the police service, we find no justification for the High Court to interfere with the order of dismissal. The learned single Judge in the judgment dated 15-09-2014 was justified in dismissing the writ petition. The Division Bench has erred in allowing the Special Appeal. The order of the learned Single Judge did not suffer from any error of fact or law.

We hence allow the appeal and set aside the impugned judgment and order of the Division Bench of the High Court in Prem Ram v.State of Uttarakhand, maintaining the order passed by the learned Single Judge dismissing the writ petition. There shall be no order as to costs.

In *Kendriya Vidyalaya Sangathan J.Hussain*⁴, it has been held by the Hon'ble the Supreme Court as under:

"12. Here in the given case, we find that the High Court has totally downplayed the seriousness of misconduct. It was a case where the respondent employee had gone to the place of work in a fully drunken state. Going to the place of work under the influence of alcohol during working hours (it was 11.30 a.m.) would itself be a serious act of misconduct. What compounds the gravity of delinquency is that the place of work is not any commercial establishment but a school i.e. temple of learning. The High Court has glossed over and trivialized the aforesaid aspect by simply stating that the respondent was not a "habitual drunkard" and it is not the case of the management that he used to come to the school in a drunken state "regularly or quite often". Even a singular act of this nature would have serious implications. Even a singular act of this nature would have serious implications."

16. In the instant case, the petitioner is working in the Police Department as Home Guard and the charges against the petitioner is an act of serious misconduct as held in the Committee meeting which observed that frequent complaints have been made against the petitioner as he comes to duty in drunken condition, which was

⁴ (2013) 10 SCC 106

supported by medical checkup certificate and committee also felt that the petitioner is unfit for duties, hence, recommended for removal from service.

17. In view of above facts and circumstances of the case and relying on the various judicial pronouncement passed by the Hon'ble Apex Court, this Court is of the opinion that the respondent authorities has rightly passed the impugned proceeding for removal of the petitioner from the Home Guard Organization, vide impugned order (District Order) D.O.No.03/2015, C.No.19/RI-HGs/ADD/2015, dated 09.01.2015 by following due procedure contemplated under law and there are no reasons warranting interference of this Court, hence, writ petition fails.

18. Accordingly, the Writ Petition(TR) is dismissed confirming the impugned order (District Order) D.O.No.03/2015, C.No.19/RI-HGs/ADD/2015, dated 09.01.2015 passed by the respondent No.3. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending if any, shall stand closed.

JUSTICE N.V. SHRAVAN KUMAR

Date: 05-02-2024

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Note: L.R. Copy be marked.

B/o.

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