

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

FRIDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND FIFTEEN
PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.2284 of 2015

BETWEEN

Chintamena Laxmi.

... PETITIONER

AND

The Singareni Collieries Company Limited, Rep. by its Chairman and
Managing Director, Kothagudem, Khammam District and others.

...RESPONDENTS

Counsel for the Petitioner: MR. PULLA KARTHIK

Counsel for the Respondents: MR. NANDIGAMA KRISHNA RAO

The Court made the following:

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ORDER:

Petitioner states that she was appointed as General Mazdoor in the
respondent corporation as per office order dated 07.05.1985 and she joined

the duty on 09.05.1985. Petitioner states that she is illiterate and that no date of birth is entered in the records. However, prior to joining the duty, she was subjected to medical examination to ascertain fitness and she was also subjected to age determination examination by the Age Determination Committee, which assessed the age of the petitioner as 30 years on 04.05.1985. Petitioner states that on the basis of the said determination, she will be required to retire by 01.06.2015. Petitioner states that though her age was determined by the Committee, there is no date of birth recorded in the records and in terms of Rule 3 of the Singareni Collieries Company Limited Age Retirement Rules, relating to age disputes, petitioner seeks that her age be examined and determined by the Apex Medical Board, which is located at the headquarters of the company so that her exact age can be ascertained.

2. I have heard the learned counsel for the petitioner and learned standing counsel for the respondents.

3. It is apparent that there is no glaring disparity, as date of birth of the petitioner is not recorded in the records and the petitioner has also not questioned the determination made by the Age Determination Committee. However, since the petitioner is illiterate and seeks to avail an opportunity of further determination of her age by the apex medical board, keeping in view that the petitioner is scheduled to retire on 01.06.2015, interest of justice would be met by directing that the petitioner be examined by the Apex Medical Board so that the report of the board shall be made available in approximately one month's time, which will be well before the date of retirement of the petitioner.

In the circumstances, the writ petition is disposed of directing the second respondent to refer to the case of the petitioner to the Apex Medical Board for determination of her age, as directed above and based upon the report of the Apex Medical Board, the second respondent shall take further action. As a sequel, the miscellaneous applications, if any, shall stand

closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

February 20, 2015

Note: Furnish C.C. of the order by 23.02.2015.

(B/o) DSK