

**HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO**

WRIT PETITION No. 17569 of 2016

DATED 26<sup>TH</sup> JULY, 2016

BETWEEN

R.Narayana

....Petitioner

And

Telangana State Road Transport Corporation,  
Rep. by its Managing Director, Hyderabad and ors.

..Respondents.

**HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO**

WRIT PETITION No. 17569 of 2016

**ORDER:**

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The petitioner was appointed as Driver in the respondents-Corporation on 1.1.2010 and his services were regularized in the same year. While working as such, the petitioner was asked to appear before the Medical Officer for medical examination. The Medical Officer referred his case to Nizam's Institute of Medical Sciences, Panjagutta, Hyderabad. The Medical Officer of the Nizam's Institute of Medical Sciences by letter dated 5.1.2016 informed the Medical Officer

of the respondents-Corporation that the petitioner was suffering from Diffuse Disc Bulge. Thereafter, the petitioner was given treatment for some time and finally declared the petitioner unfit for the post of A-1 Category Driver. The present Writ Petition is filed complaining that no salary is being paid from the month of March, 2016 and no alternative employment is provided.

A counter affidavit is filed on behalf of the respondents admitting that the petitioner was appointed as contract Driver on 15.10.2006 and his services were regularized with effect from 1.1.2010. It is stated that though the Medical Officer, TSRTC Dispensary, Nizamabad declared the petitioner unfit for the post of A-1 Category Driver, on a representation submitted by the petitioner, he (the petitioner) was directed to undergo further medical examination at RTC Hospital, Tarnaka, Hyderabad. The Medical Officer at RTC Hospital, Tarnaka examined the petitioner on 23.3.2016 and declared him fit for the post of Driver under A1 Category by proceedings dated 23.5.2016. It was also stated that the petitioner has not submitted any representation for providing him light duties. In the counter affidavit, it is further stated that the third respondent issued proceedings on 28.5.2016 directing the petitioner to resume duty as he was declared fit by the Doctor on medical appeal dated 23.5.2016.

The learned Counsel for the petitioner states that the proceedings dated 23.5.2016 was never communicated to the petitioner and for the first time, he came to know about the said proceedings through counter affidavit. He further submits that the petitioner is willing to join duty.

In view of the declaration that the petitioner is fit for the post of A1 Category Driver and as the petitioner is willing to join duty, this Writ Petition is disposed of directing the respondents to admit the petitioner to duty with effect from 05.08.2016, on which date the petitioner report to duty before the third respondent-Depot.

Subject to the above, the Writ Petition is disposed of. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

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***JUSTICE A.RAMALINGESWARA RAO***

DATED 26<sup>th</sup> JULY, 2016.

Msnr<sub>x</sub>