

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.3676 of 2014

ORDER:

1. The petitioner joined the respondent corporation as a driver on 01.03.1995. However, he was attacked with paralysis and underwent treatment for a period of one year from 29.11.2010 to 24.10.2011 and also from 15.11.2011 to 21.11.2011. Thereafter, he reported for duty on 22.11.2011. He was subjected to medical examination and it was opined that he was fit for service in Class-A1 category. He was again subjected to medical examination and it was opined in the 2nd medical examination that he can do light jobs instead of driving on heavy vehicles. He submitted a representation to the 1st respondent on 16.03.2012 and when the same was not considered, he filed W.P.No.8444 of 2012. The said writ petition was disposed of by this Court on 27.03.2012 directing the respondents to consider the case of the petitioner under Section 47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (for short "the Act"). Pursuant to the said order, the petitioner was appointed as Shramik and he has been working in Hakimpet Depot. He was taken into service on 17.08.2012. But, during the interregnum period, no amount was paid to him. In that connection, he submitted representations on 03.04.2013 and 04.04.2013 and when they were not considered, the present writ petition was filed.

2. The respondents filed a counter-affidavit admitting the appointment of the petitioner and subjecting him to medical examinations. It was stated that he reported for duty as Shramik on 22.08.2012. However, it was stated that the provisions of Section 47 of the Act are not attracted to the case of the petitioner.

3. In view of the pendency of the representations dated 03.04.2013 and 04.04.2013, this Court is not inclined to go into the merits of the case, but dispose of the Writ Petition by directing the respondents to consider the said representations of the petitioner and pass appropriate orders thereon within a period of three months from the date of receipt of a copy of this order.

4. At this stage, the learned Standing Counsel for the respondents submits that the Corporation has not received the said representations. The learned Counsel for the petitioner asserts that the representations were sent and shown proof of sending them by registered post. However, in order to facilitate disposal of the representations, the petitioner is directed to submit copies of the said representations to the respondents, within a period of one week from the date of receipt of a copy of this order.

5. The Writ Petition is accordingly disposed of. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO,
J

03-08-2016
Gsn