

**HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO**

**Contempt Case No.434 of 2016**

**and**

**Writ Petition No. 8333 of 2015**

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**Common Order:**

This Writ Petition and Contempt Case are disposed of by this common order as the Contempt Case arises out of the interim order passed in Writ Petition No.8333 of 2015.

2. The case of the petitioner is that he was appointed as a Driver in the respondent-Corporation in the year 2003 and was discharging his duties to the satisfaction of his superiors. He met with an accident while performing duty and was seriously injured in August 2007. He underwent surgery also. He submitted an appeal to the Corporation to permit him to work on out of designation on medical grounds duly producing medical certificates. Accordingly, permission was granted to him. He worked on out of designation initially for a period of six months, vide letter dated 21.08.2009. He was working in Traffic Section and the period was extended from time to time and finally up to 26.08.2014. When the said period was not extended, he filed Writ Petition No.31207 of 2014 and the same was disposed of on 17.10.2014 by directing the respondents to consider the representation dated 19.07.2014 submitted by the petitioner. Subsequently, he was sent for medical examination and after examining him the Doctors opined that he should be given light duties by their certificate dated 18.03.2015. In spite of the said certificate, when he was not given light duties, the present Writ Petition was filed.

3. This Court, while admitting the Writ Petition, by an order dated 10.04.2015, directed the respondents to continue the petitioner at the Control Point, Galiveedu Bus Depot and review his performance once in every six months and also secure appropriate medical evaluation by referring him to NIMS or RIMS, Kadapa, and his services shall be regulated depending on the medical opinion.

4. The Contempt Case is filed alleging non-implementation of the said order.

5. Today, when the cases are taken up for consideration, learned Standing Counsel for the respondents-Corporation produced before this Court an order dated 13.06.2016 passed by the Corporation providing for out of designation duties to the petitioner at Galiveedu point for a period of six months. It was also stated that after completion of six months period he may be restored to the normal post of driver without waiting for further orders from the Corporate Office.

6. In the circumstances, no further orders are necessary except stating that before entrusting the normal duties of driver after the expiry of six months period, the petitioner shall be subjected to medical examination by the competent Medical Board and based on its opinion only the duties must be entrusted. It is needless to observe that the petitioner is entitled for protection of his emoluments as a Driver during the interregnum period of performing his duties as out of designation.

7. With the above observations, both the Contempt Case and the Writ Petition are closed. There shall be no order as to costs.

8. As a sequel thereto, the miscellaneous applications, if any, pending in the Writ Petition and Contempt Case shall stand closed.

A.  
Date: 12.07.2016  
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**RAMALINGESWARA RAO, J**