

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.5754 OF 2017

Dated:20.02.2017

Between:

Smt. Baikadi Mallamma, W/o. Late B. Ramulu,
Aged about 65 years, Occ: House wife,
R/o.12-32, Hanuman Nagar, Toopran
(V & M), Medak District and others .. Petitioners

And

The State of Telangana, rep., by its
Principal Secretary, Health, Medical
And Family Welfare Department,
Secretariat, Hyderabad and others .. Respondents



The Court made the following:

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ORDER:

Heard. With the consent of learned counsel for the parties, the Writ Petition is being disposed of at the stage of admission.

2. Petitioners are family members of late B. Ramulu. Their claim is that even though the services of late B. Ramulu were utilised for long time by the respondent authorities and directions were issued by the Andhra Pradesh Administrative Tribunal (for short, 'the Tribunal'), his services were not regularised in accordance with the scheme of regularisation notified by G.O.Ms.No.212, dated 22.04.1994, and as a consequence, consequential benefits are not paid. While so, late B. Ramulu died on 28.01.2016. By relying on the earlier directions of the Tribunal, the petitioners submitted a representation, dated 07.11.2016, to the Senior Medical Officer, Ayurvedic Hospital, Toopran, Commissioner, Department of Ayush, Abids, Hyderabad, and Regional Deputy Director, Department of Ayush, Kachiguda, Hyderabad, respondents 4, 2 and 3, respectively, claiming monitory benefits. The grievance of the petitioners necessitating in institution of this Writ Petition is that so far no action is taken on the representation submitted by them and because of the delay in payment of monitory benefits, grave prejudice and hardship is caused to them.

3. Since the petitioners already submitted representation, which is yet to be acted upon by the respondent authorities, this Court is not inclined to keep the Writ Petition pending.

4. The Writ Petition is accordingly disposed of directing the 2nd respondent to consider the representation, dated 07.11.2016, submitted by the petitioners, after examination of the relevant issues, and pass appropriate orders as warranted by law, within a period of six weeks from the date of receipt of a copy of this order. If the 2nd respondent is of the opinion that he is not competent to deal with the claim made by the petitioners, he may refer the issue to the Government within three weeks and on receipt of such proposal by the Government, the Principal Secretary, Health, Medical and Family Welfare, the 1st respondent, shall consider the same and pass appropriate orders within a period of six weeks thereafter. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date:20.02.2017

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P. NAVEEN RAO, J