

**IN THE HIGH COURT OF JUDICATURE, AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH**

HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO. 13166 OF 2017

Between:

Thota Mallaiah S/o Poshyya aged about 59 years

....Petitioner

A n d

The Chairman and Managing Director, Singareni Collieries Company Limited and two others.

....Respondents

DATE OF ORDER: 17.04.2017



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ORDER:

The grievance of the petitioner is though he made a request on 27.5.2015 to declare him medically unfit, so far no order is passed. In the representation dated 27.5.2015 the petitioner placed reliance on the request made by him on 12.5.2015 to refer to the Corporate Medical Board.

Learned Standing Counsel produced a copy of the proceedings in CRP/MED/C/049/2469 dated 20.6.2015 informing the petitioner that on examination by the Corporate Medical Board on 15.5.2015, petitioner was assessed as fit to work. Since the petitioner was already examined by the Corporate Medical Board and was declared as fit, the cause in the Writ Petition does not survive. He further submits that the petitioner has retired from service after attaining the age of superannuation.

Since the decision has already taken regarding fitness of petitioner, the cause in the Writ Petition does not survive for consideration. The Writ Petition is accordingly dismissed leaving it open to the petitioner to work out his remedies, if he so advised, against the decision of the Corporate Medical Board in holding him as fit to perform his duties.

There shall be no order as to costs. Miscellaneous Petitions, pending if any, shall stand closed.

P. NAVEEN RAO, J

Date: 17.04.2017
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