

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.21916 OF 2001

ORDER:

This writ petition is filed seeking a Writ of *Certiorari* to call for the records relating to the impugned letter No.D2/684(3)/99-HCR, dated 25.08.2001 issued by the respondent No.2 and to quash the same. A consequential direction is sought to appoint the petitioner as Driver Grade-II by declaring the petitioner as fit in terms of the medical certificate issued by the Sarojini Devi Eye Hospital, Hyderabad.

2. Heard Sri M.Ratna Reddy, learned counsel for the petitioner and Sri N.Vasudeva Reddy, learned Standing Counsel for the respondent Corporation.

3. It is the case of the petitioner that he had obtained Heavy Goods Vehicle Driving License, Medium Motor Vehicle Driving License and Light Motor Vehicle Driving License during the year 1986 and he has experience of driving such vehicles on high ways, that the Respondent Corporation had issued a Notification for filling up of the posts of Drivers Grade-II, during the year 1999, that when the petitioner was subjected to regular selection, he was asked to undergo medical tests before being appointed as a driver, and that during the medical examination, it was found that the petitioner was suffering from the colour blindness and that is how, his case was rejected.

4. Learned counsel for the petitioner contends that the petitioner got tested his eyes in Sarojini Devi Eye Hospital, Hyderabad on 13.02.2001 and the said Government Hospital had certified that the petitioner is not suffering from colour blindness and on the strength of the said certificate, he requests that his case should be considered for appointment as Driver Grade-II in the Respondent Corporation.

5. On the other hand, learned counsel for the respondent Corporation would contend that the Medical Board of the Respondent Corporation had examined the case of the petitioner thoroughly and the petitioner was found unfit on the ground that he was suffering from colour blindness and the Respondent Corporation had also considered the case of the petitioner on 12.6.2001 i.e., after the Sarojini Devi Eye Hospital had cleared the case of the petitioner, but again the Medical Board of the Respondent Corporation found the petitioner unfit.

6. In the matters of this nature, this Court can not interfere because the competent Medical Board of the Respondent Corporation had certified that the petitioner is unfit for appointment as Driver Grade-II.

7. Having considering the rival submissions made by the parties, I am of the view that when once the Medical Board of the Respondent Corporation had tested the petitioner twice and gave certificates stating that the petitioner is unfit for appointment as Driver Grade-II, I do not see any injustice caused to the petitioner, and that the Respondent Corporation had rightly rejected the case of the petitioner.

8. There are no merits in the writ petition and accordingly, it is dismissed.

9. Pending miscellaneous petitions, if any, shall stand closed.

No order as to costs.

ABHINAND KUMAR SHAVILI, J

Date:18.12.2017
slk

