

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.21133 OF 2018

DATED :20.07.2018

Between :

Peddapalli Laxman (EC.No.2765444),
S/o.Durgaiah, Aged about 59 yrs,
Working as Coal Cutter,
At RK-8 Incline, Singareni Collieries Company Limited,
Srirampur Division, Srirampur, Mancherial District.

..

Petitioner

And

The Singareni Collieries Company Limited,
Rep., by its Chairman & Managing Director,
Kothagudem, Bhadradri Kothagudem, District & others.

...

Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.21133 of 2018

ORDER :

Heard learned counsel for the petitioner and learned Standing counsel for Singareni Collieries.

2. This writ petition is filed praying to grant the following relief :

“To declare the action of the respondents in not referring the petitioner’s case to any Hospital to assess his fitness, as illegal and arbitrary.

Consequently direct the respondents to refer the petitioner to any Government Hospital, to assess his fitness to work in coal mine...”

3. According to petitioner, he is suffering from back pain and knee pain for the last several years in addition to cardiac problems and also suffered with Paralysis. According to petitioner, he is not yet recovered from paralysis and because of the above ailments he is unable to perform his duties. Petitioner claims that he has already applied for medical examination by the Medical Board and alleging inaction in referring him to the Medical Board regarding his fitness, this writ petition is filed.

4. When the matter is taken up, learned Standing counsel informs the Court that petitioner retired from service on attaining the age of superannuation on 30.06.2018.

5. Having regard to the fact that petitioner has already retired from service the compulsion of petitioner to continue in service or not able to attend to duties does not arise any more. Thus, the direction to refer to medical examination by the Medical Board cannot be granted at this stage.

6. With the above observations, the Writ Petition is disposed of.
Pending miscellaneous petitions, if any, shall stand closed.

20th July, 2018
Rds

P.NAVEEN RAO,J

