

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.22737 OF 2018

Dated:28.08.2018

Between:

G. Mallaiah (2033863), S/o. Rajam,
Aged about 58 years, working as
Coal Cutter at GDK-5 Incline, RG-I Area,
Singareni Collieries Company Limited,
Godavarikhani, Peddapalli District

.. Petitioner

And

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

.. Respondents



The Court made the following:

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ORDER:

Heard.

2. This Writ Petition is filed seeking the following relief:

“For the reasons stated in the affidavit, accompanying this Writ Petition, it is prayed that this Hon’ble Court may be pleased to issue a writ or order or direction, especially one in the nature of Writ of Mandamus:

- i) declare the action of the respondents in not referring the petitioner to the Medical Board, to asses his fitness, as illegal and arbitrary
- ii) consequently direct the respondents to provide dependent employment to the petitioner’s son i.e., G. Jagan
- iii) and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

3. Learned Standing Counsel for Singareni Collieries Company Limited placed before this Court the proceedings, dated 16.07.2018, wherein it is stated that as per the report of the Medical Board, petitioner is declared as unfit for further service. Learned Standing Counsel submits that on account of declaration given by the Medical Board, petitioner may not be continued in service. He further submits that petitioner has to submit an appropriate application seeking dependent employment and on submission of such application, the same will be considered by the respondent – Company.

4. Having regard to the said submission, the Writ Petition is disposed of granting liberty to the petitioner to submit an application seeking dependent employment, if he is entitled, and if

such application is filed, the respondent – Company shall consider the same consequent to declaring him as unfit to continue in service. There shall be no order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:28.08.2018

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