

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.2075 OF 2019

ORDER:

This writ petition is filed seeking a writ of Mandamus to declare the inaction of the respondents in discharging the petitioner from duties by releasing the retirement benefits *viz.*, provident fund, gratuity, SBT, SRBS, EL medical unfit wages and all other monetary, additional monetary and pensionary benefits, in spite of the representation dated 19.05.2018, as arbitrary, illegal and unjust and sought a consequential direction to the respondents to discharge the petitioner from duties by duly releasing all the benefits as expeditiously as possible.

Heard Sri G. Rajesh, learned counsel for the petitioner, and Sri A. Ravi Babu, learned Standing Counsel for the respondents.

It has been contended by the petitioner that he was initially appointed as a Driver in the respondent Corporation and while he was discharging his duties as such, he was declared medically unfit for the post of Driver and he was provided alternative employment. The petitioner further contended that even he is not able to discharge his duties in the alternative employment of Shramik and, therefore, he submitted a representation to the respondents on 19.05.2018 requesting to retire him on medical grounds with all consequential benefits. The grievance of the petitioner is that the respondents are neither retiring him on medical grounds nor passing any orders on the representation submitted by him on 19.05.2018.

Learned counsel for the petitioner submitted that appropriate orders be passed in the writ petition directing the respondents to consider the

representation submitted by the petitioner on 19.05.2018 and pass appropriate orders therein.

Learned Standing Counsel appearing for the respondents had submitted that the case of the petitioner would be considered and appropriate orders would be passed on the representation submitted by the petitioner.

In view of the rival submissions made by the respective parties, this Court is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioner on 19.05.2018 and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With these observations, the writ petition is disposed of. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

5th February, 2019

v v