

HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.2927 of 2019

ORDER:

This Writ Petition is disposed of at the admission stage with the consent of both the parties.

The petitioner is seeking a Writ of Mandamus declaring the proceedings dated 25.10.2018, issued by the second respondent, as illegal, arbitrary and contrary to principles of natural justice and violative of rights guaranteed under Articles 14,16 and 21 of the Constitution of India.

Heard Mrs. K.Shanti Devi, learned counsel for the petitioner and Sri B. Mayur Reddy, learned Standing Counsel appearing for T.S.R.T.C.

It has been contended by the petitioner that he was initially appointed as Conductor and was discharging his duties to the best satisfaction of the superiors and everyone concerned. The petitioner respectfully submits that he was promoted as Assistant Depot Clerk and while he was discharging his duties as Assistant Depot Clerk, he suffered with paralysis and stroke and so he requested the respondents to post him in any post which is suitable to his health condition. The petitioner submits that while he was discharging his duties as Assistant Depot Clerk, the respondents have posted the petitioner to work as Mechanical Foreman (General), vide orders dated 25.10.2018. The contention of the petitioner is that since he is suffering with paralysis, he would not be in a position to discharge his duties as Mechanical Foreman (General) and requested the respondents to post him as Assistant Depot Clerk by canceling the orders dated 25.10.2018, but the respondents have not considered the request of the petitioner and in those circumstances, the

petitioner has filed the present Writ Petition, challenging the impugned orders dated 25.10.2018.

During the course of arguments, learned Standing Counsel, on instructions, has reiterated to this Court that the case of the petitioner would be considered and the petitioner would be given appropriate posting as a Depot Clerk (Earnings) and the petitioner has also expressed his willingness to work as Depot Clerk (Earnings).

In view of the above submissions made by the parties, this Writ Petition is disposed of directing the respondents to post the petitioner as Depot Clerk (Earnings) and on such posting being given to the petitioner, he shall report and discharge his duties. No order as to costs.

Consequently, Miscellaneous Petitions, if any, pending shall stand closed.

Date: 28.03.2018.
vnb

ABHINAND KUMAR SHAVILI, J

