**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT PETITION No.7723 of 2019**

**ORDER:**

This writ petition is being disposed of at the admission stage with the consent of both the parties.

2. This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

> "... to issue a writ or order or direction more particularly one in the nature of Writ of Mandamus declaring that the action of the 3rd respondent herein in not referring petitioner for medical examination to the District Medical Board, Nalgonda by considering his representation dt. 12-11-2018 is bad arbitrary illegal and consequently direct the 3rd respondent herein to consider his representation dt. 12-11-2018 for referring petitioner for medical examination to the District Medical Board, Nalgonda forthwith and pass..."

3. Heard Sri P.Venkateshwar Rao, Counsel for the petitioner and the Government Pleader for Irrigation & CAD for the respondents.

4. It has been contended by the petitioner that he was initially appointed as Cleaner on 04.06.1986 and later on acquiring driving license, he was promoted as LV Driver Grade-II on 12.07.1991 and LV Driver Grade-I on 12.07.1997. The petitioner further contends that he is suffering from CKD-V/HTN/Chronic Hepatitis B Infection Seizures and his kidneys had also got damaged. The petitioner also contends that he is undergoing Hemo dialysis thrice a week for the last three years and he is facing difficulty to discharge his duties and he is not in a position to undergo kidney transplantation, which requires huge amounts.

4. The grievance of the petitioner is that he has submitted a representation to the 3rd respondent on 12.11.2018 requesting to refer

him to the District Medical Board, Nalgonda, so as to take retirement under medical invalidation scheme, but the respondents are not considering his case nor passing any orders on the representation submitted by him.

5. Counsel for the petitioner had submitted that appropriate orders be passed in the writ petition directing the respondents to consider the representation of the petitioner, dated 12.11.2018, and pass appropriate orders, in accordance with law.

6. The Government Pleader appearing for the respondents had submitted that the case of the petitioner would be considered by the respondents and appropriate orders would be passed, in accordance with law.

7. This Court, having considered the rival submissions made by the parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation of the petitioner, dated 12.11.2018, and pass appropriate orders, in accordance with law, within a period of six (06) weeks from the date of receipt of a copy of this order.

8. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

**ABHINAND KUMAR SHAVILI, J**

Date: 12th April, 2019

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**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT PETITION No.7723 of 2019**

Date: 12th April, 2019

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