

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.NO.8778 OF 2019

ORDER

With the consent of both the counsel, the writ petition is being disposed of at the stage of admission.

This writ petition is filed for the following relief:

"To issue writ or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in issuing the memorandum No. CRP/PER/IR/C/081/1002, dated 17.05.2013 and its subsequent circular in Ref.No.CRP/Per/IR/C/081/139, dated 21.01.2019 in restricting the statutory benefits of the petitioner accrued under Mines Act, 1952 and its Rules 1955 by the respondent – company, as illegal, arbitrary and violative of rights guaranteed by the Constitution of India and consequently declare that the petitioner is eligible for all the statutory benefits under the Mines Act, 1952 and its Rules 1955."

Learned counsel for the petitioner as well as Sri J.Srinivas Rao, learned Standing Counsel for the Singareni Collieries Company Limited, submits that the issue raised by the petitioner is squarely covered by the order of this court in W.P.No.2475 of 2019 and batch dated 19.02.2019, and that the present writ petition may also be disposed of accordingly.

This court disposed of W.P.No.2475 of 2019 and batch dated 19.02.2019, with the following direction:

"This court, having considered the rival submissions of the learned counsel for the respective parties, is of the considered view that these writ petitions can be disposed of directing the respondents to strictly follow the circulars dated 09.03.2018 and 21.01.2019 issued by the respondents without insisting for any undertaking from the petitioners while considering their cases for referring them to the Medical Board with regard to their medical fitness for continuing in the employment."

Having regard to the facts and circumstances, the present writ petition is disposed of in terms of the above directions of this court.

Interlocutory applications pending, if any, shall stand closed. No costs.

ABHINAND KUMAR SHAVILI,J

DATE:24—04—2019
AVS