

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.10921 of 2019

ORDER:

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

This writ petition is filed seeking the following relief :-

“.....to call for the records from the Respondents and issue an appropriate Writ, Order or Direction, particularly one in the nature of Writ of Mandamus declaring the Office Order issued by the 3rd respondent in proceedings No. E2/ 469(02)/ 2018-DM:ADB, dated 11.12.2018 in pursuance of the proceedings issued by the 4th respondent in proceedings No.SP/ 19(M.B.17)/ 2018-TH, dated 13.11.2018 retiring the petitioner from service on medical grounds with retrospective effect from 13.11.2018 as illegal, unjust, contrary to law, arbitrary, discriminatory, amounts to unfair labour practice, principles of natural justice and violative of Articles 14, 16 and 21 of the Constitution of India and further declare that the petitioner is entitled to alternate employment of stationary duties as per the provisions of Section 47 of the Physical Disabilities Act 1995, and grant all consequential benefits.....”.

Heard Sri A.K.Jayaprakash Rao, the learned counsel for petitioner and Sri A.Ravi Babu, the learned Standing Counsel for respondents.

It has been contended by the petitioner that he was appointed as driver on 03.05.2007. While so, the respondents have issued proceedings dated 13.11.2018 retiring the petitioner from service on medical grounds after declaring him unfit for the post of driver.

During the course of arguments, the learned counsel appearing for the petitioner has contended that the petitioner has submitted a representation to the respondents on 14.06.2019

requesting to consider her daughter's case for appointment on medical invalidation. Learned counsel for the petitioner has produced copy of representation dated 14.06.2019 before this Court.

Learned counsel appearing for the petitioner has further contended that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner on 14.06.2019 and pass appropriate orders in accordance with law.

Learned Standing Counsel appearing for the respondents has submitted that the case of the petitioner will be considered and appropriate orders would be passed on the representation submitted by the petitioner on 14.06.2019 in accordance with law.

This Court, having considered the rival submissions of the learned counsel for the respective parties, 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 14.06.2019 and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILU

20.06.2019
Prv

