

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.11079 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 issue an appropriate Writ, order or Direction more particularly one in the nature of Writ of Mandamus to declare the inaction of the respondent Nos.2 and 3 in referring the petitioner to the 4th respondent Medical Board for re-medical examination in spite of the written representation dt 26.7.2018 followed by personal visits, as being illegal, arbitrary and unjust and consequently direct the respondent Nos.2 and 3 herein to refer the petitioner to the 4th respondent Medical Board for re-medical examination and to reinstate him into service pursuant to the medical report”.

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

It has been contended by the petitioner that he is working as Security Guard and while discharging his duties, the petitioner was declared unfit by the Medical Board vide proceedings dated 24.04.2018 and the petitioner was discontinued from service. The petitioner submits that he has recovered from illness and he has been requesting the respondents to re-refer his case to the Medical Board so as to take up employment with the respondents once again. The petitioner has submitted representation on 26.07.2018 requesting the respondents to refer his case to the Medical Board once again and to reinstate him as Security Guard upon certification of his medical fitness.

The grievance of the petitioner is that though he has submitted representation on 26.07.2018 the respondents are not acting on the said representation.

Learned counsel for petitioner submits that appropriate orders be passed in the writ petition directing the respondents to consider the representation dated 26.07.2018 and pass appropriate orders in accordance with law.

Learned Standing Counsel appearing for 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 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 26.07.2018 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 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 SHAVILI

07.06.2019
Prv

