

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.14052 of 2019

ORDER:

With the consent of both the parties, this Writ Petition is disposed of at the admission stage.

This Writ Petition is filed for the following relief:

“.....writ of mandamus declare the action of the respondents in utilizing the services of the petitioner in stores section instead of in earning section as arbitrary and illegal and contrary to the order vide No.P2/255(1)/2017-DM:HZB dated 6.11.2017 and in violation of the TSRTC Service Rules and Regulations and to pass such other.....”

Heard Sri G.Madhusudhan Reddy, learned counsel for the petitioner and Sri.A.Ravibabu, learned Standing counsel for TSRTC.

It has been contended by the petitioner that he was initially appointed as Driver with the respondent-Corporation, but later he was declared unfit for the post of Driver vide order dated 02.03.2016, as he was suffering from low back ache, and was appointed as Shramik. He further contends that as he was not in a position to discharge the duties of Shramik, he made an application on 05.10.2017 requesting the respondents to assign light job (stationary/clerical). On entertaining the said application, the Depot Manager-3rd respondent issued proceedings dated 06.11.2017 directing respondent No.4 to utilize the services of the petitioner in Earning Section. But the respondents are not complying with the orders passed by the 3rd respondent. Challenging the same, the present writ petition is filed.

Learned counsel for the petitioner contends that appropriate orders be passed in the writ petition directing the respondents to comply with the orders passed by the 3rd respondent-Depot Manager.

Learned Standing counsel appearing for the respondent-Corporation contends that the case of the petitioner would be considered, if the petitioner submits a fresh representation to the respondents seeking implementation of the orders passed by the 3rd respondent.

This Court, having considered the rival submissions made by the learned counsel on either side, is of the considered view that this writ petition can be disposed of directing the petitioner to submit a fresh representation to the respondents within two weeks from today seeking implementation of order dated 06.11.2017 passed by 3rd respondent. Upon such representation being received, the respondents shall consider the same and pass appropriate orders in accordance with law within four weeks thereafter.

With the above observations, the Writ Petition is disposed of. No order as to costs.

As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

19.07.2019
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