

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.15335 of 2016

ORDER

This writ petition is filed seeking the following relief:

“....to issue an order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not considering the case of the petitioner for appointment to the post of Conductor or any suitable post in pursuance of Circular PD.No.19/15, dated 3-6-2015 as illegal, arbitrary and unjust and consequently direct the respondents to consider the case of the petitioner for appointment to the post of Conductor or any suitable post and pass such further other order or orders as this Hon'ble Court deem fit and proper under the circumstances of the case.”

Heard Sri G.Ravi Mohan, learned counsel appearing for the petitioner and Sri A.Ravi Babu, learned Standing Counsel appearing for the respondent-Corporation.

It is the case of the petitioner that his father was employed as Driver in the respondent-Corporation during the year 1979. While working as such, his father was declared as unfit and he was relieved from his duty on medical invalidation grounds *vide* order dated 1.2.2010. Thereafter, the petitioner submitted a representation to the respondent-Corporation on 22-06-2015 to consider his case for appointment in any suitable post in view of medical

invalidation of his father. But, so far, no orders have been passed thereon.

Learned counsel appearing for the petitioner submits that the petitioner is seeking employment in terms of the Circular dated 3.6.2015 and that the respondent-Corporation has not passed any orders on the representation submitted by him on 22-06-2015.

Learned Standing Counsel appearing for the respondent-Corporation submits that the petitioner is not entitled for appointment in terms of the said Circular dated 3.6.2015 as the left over service of his father was less than five years. However, the Corporation would consider the representation dated 22-06-2015 submitted by the petitioner and pass appropriate orders, in accordance with law.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition can be disposed of directing the petitioner to submit a representation afresh within a period of two weeks from the date of receipt of a copy of this order seeking appointment. On receipt of such representation, the respondents shall consider the same and pass appropriate orders thereon in terms of the Circular dated 3.6.2015, within a period of eight weeks thereafter.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

19th September, 2019
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