

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.17202 of 2019

ORDER:

Heard Sri K.Venkateswarlu, learned counsel for the petitioner and Sri B.Mayur Reddy, learned Standing counsel for the respondents. With the consent of learned counsel for the respective parties, this Writ Petition is disposed of at the admission stage.

This Writ Petition is filed for the following relief:

“.....Writ of Mandamus declaring the action of the respondents herein in not considering the case of the petitioner under medical unfit case to the post of Security Guard or RTC Constable as per Circular No.PD-19/2015 dated 03.06.2015 as illegal, arbitrary, violation of Article 14 & 16 of Constitution of India and consequently direct the respondents to consider the petitioner's case to the post of Security Guard or RTC Constable as per Circular No.PD-19/2015 dated 03.06.2015 by considering the petitioner's representation dated 14.12.2017 and 15.11.2018 and pass such orders.....”

It has been contended by the petitioner that his father was appointed as Driver in the respondent-Corporation and later he was declared as medically unfit vide proceedings dated 06.05.2017. Thereafter, petitioner had submitted representations dated 14.12.2017 and 15.11.2018 requesting the respondents to consider his case for appointment as Security Guard or RTC Constable in terms of the Circular No.PD-19/2015 dated 03.06.2015. But so far, the

respondents have not passed any orders on the representations submitted by the petitioner either rejecting his case or considering his case for appointment as Security Guard or RTC Constable in terms of the Circular No.PD-19/2015 dated 03.06.2015.

Therefore, learned counsel for the petitioner contends that appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for appointment as Security Guard or RTC Constable in terms of the Circular No.PD-19/2015 dated 03.06.2015.

Learned Standing counsel appearing for the respondents contends that the case of the petitioner would be considered and appropriate orders would be passed, if petitioner makes a fresh representation to the respondents.

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 seeking appointment as Security Guard or RTC Constable in terms of the Circular No.PD-19/2015 dated 03.06.2015 within two weeks from the date of receipt of a copy of this order and on such representation being made, the respondents shall consider the same and pass appropriate orders in accordance with law, in another four weeks thereafter.

With the above observations, this 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

13.08.2019

dv

