

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.48000 of 2018

ORDER:

This writ petition is filed seeking a Writ of Mandamus, declaring the action of respondents 1 and 2 in not issuing the claim forms for payment of additional monetary benefits and other medical retirement benefits inspite of the representations dated 14.11.2018 and 12.12.2018, as illegal, arbitrary and unjust and sought a consequential direction directing respondents 1 and 2 to issue claim forms for payment of additional monetary benefits and other medical retirement benefits.

Heard Sri G.Rajesh, counsel for petitioner and Sri B.Mayur Reddy, Standing Counsel for respondent-Corporation.

It has been contended by the petitioner that he was initially appointed as a Driver in the respondent-Corporation during 1997 and subsequently his services were regularized. The petitioner further contends that while he was discharging his duties as a Driver during April 2018, he has suffered with eye-problem and his case was referred to the Medical Board and the Medical Board had declared the petitioner as unfit to perform the duties of a Driver due to defective vision. Thereafter, the case of the petitioner was considered for alternative employment and the petitioner was appointed as a Sramik, and to that effect, petitioner had submitted representations to the respondents on 14.11.2018 and 12.12.2018, requesting to grant additional monetary benefits and other medical retiral benefits in lieu of providing alternative employment, but the respondents have not considered the said representations. Challenging the same, the present writ petition is filed.

Counsel appearing for petitioner contend that appropriate orders be passed directing the respondents to pay additional monetary benefits in lieu of alternative employment to the petitioner and also to release the other benefits of the petitioner.

The learned Standing Counsel appearing for respondent-Corporation contends that the case of the petitioner will be considered and appropriate orders would be passed on the representations submitted by the petitioner.

This Court, having considered the rival submissions of the parties, is of the considered view that the petitioner is not interested in the alternative employment and the petitioner has filed representations dated 14.11.2018 and 12.12.2018 requesting the respondents to grant additional monetary benefits and other medical benefits. Therefore, this Court is of the considered view that this writ petition can be disposed of directing the respondents to consider and dispose of the representations submitted by the petitioner on 14.11.2018 and 12.12.2018 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 these observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

3rd January, 2019
ajr