

**HIGH COURT FOR THE STATE OF TELANGANA
At HYDERABAD
(Special Original Jurisdiction)**

**FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO: 37221 OF 2021

Between:

Rasakatla Madanaiah, S/o. Dharmalah, Aged about 51 years, Occ. Retired Senior Mining Sirdar, EC No. 2646674 RK-6 Incline, Singareni Collieries Co.Ltd., Srirampur, Mancherla District, T.S.

...PETITIONER

AND

1. The Singareni Collieries Company Ltd., Rep. by its Chairman and Managing Director Kothagudem, Khammam District.
2. The Superintendent of Mines, The Singareni Collieries Company Ltd, RK-6 Incline, Srirampur Area Srirampur 504 303, Mancherla Dist.
3. The General Manager, The Singareni Collieries Company Ltd., RK-6 Incline, Srirampur Area Mancherla District, T.S.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to call for the records from the Respondents and issue an appropriate writ or order or direction particularly one in the nature of Mandamus declaring the action of the Respondents in not considering the case of my second Son Rasakatla Arun for employment under medical invalidation scheme as illegal, unjust, contrary to law and in violation of Articles 14, 16 and 21 of the Constitution of India and grant all consequential benefits.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents to consider the application submitted on 27/3/2018 for providing employment to my son Rasakatla Arun forthwith.

Counsel for the Petitioner: SRI A. K. JAYAPRAKASH RAO

Counsel for the Respondents: SRI J.SRINIVASA RAO, SC FOR SCC

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.37221 of 2021

ORDER:

This writ petition is being disposed of at the admission stage with the consent of both parties.

This writ petition is filed seeking the following relief:

"..... to call for the records from the respondents and issue an appropriate writ or order or direction particularly one in the nature of Mandamus declaring the action of the respondents in not considering the case of my second son Rasakat a Arun for employment under medical invalidation scheme as illegal unjust contrary to law and in violation of Articles 14 16 and 21 of the Constitution of India and grant all consequential benefits.",

Heard S.I. A.K.Jayaprakash Rao, learned counsel appearing for the petitioner and Sri J.Srinivasa Rao, learned Standing Counsel appearing for the respondents.

It has been contended by the petitioner that he is a retired Mining Sirdar and he has submitted a detailed representation to the respondents on 27.03.2018 seeking employment to his son. But, so far, the respondents have not passed any orders on the said representation.

Therefore, learned counsel appearing for the petitioner had contended that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner on 27.03.2018 and pass appropriate orders in accordance with law.

Learned Standing Counsel appearing for the respondents had contended that the petitioner had earlier filed W.P.No.6972 of 2021 seeking correction of date of birth and this Court was pleased

to allow the writ petition vide order dated 26.03.2012 and against the said order, the respondents have preferred W.A.No.757 of 2012 and so far no orders have been passed in the said Writ Appeal and the same is pending. Therefore, the respondents are not in a position to pass appropriate orders on the representation submitted by the petitioner.

Learned counsel appearing for the petitioner had contended that though the respondents have preferred writ appeal against the judgment of learned Single Judge, no stay was granted in the said Writ Appeal. Therefore, the respondents may be directed to consider the case of the petitioner and pass appropriate orders in accordance with law on the representation submitted by the petitioner on 27.03.2018.

This Court, having considered the rival submissions made by the 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 27.03.2018 and pass appropriate orders in accordance with law, within a reasonable period, preferably within a period of eight weeks from the date of receipt of a copy of this order.

With the above directions, the writ petition is disposed of. No costs.

Pending miscellaneous petitions, if any, shall stand closed.

//TRUE COPY//

SD/-K.ONESIM
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Chairman and Managing Director, Singareni Collieries Company Ltd Kothagudem, Khammam District.
2. The Superintendent of Mines, The Singareni Collieries Company Ltd. RK-6 Incline, Srirampur Area Srirampur 504 303, Mancherial Dist.

3. The General Manager, The Singareni Collieries Company Ltd., RK-6 Incline, Srirampur Area Mancherial District, T.S.
4. One CC to SRI. A K JAYAPRAKASH RAO Advocate [OPUC]
5. One CC to SRI . SRINIVASA RAO, SC FOR SCC [OPUC]
6. Two CD Copies
7. One spare copy

NPJ

SB

HIGH COURT

DATED:31/12/2021

ORDER



WP.No.37221 of 2021

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

20/01/2022
[Signature]