

HONOURABLE SRI JUSTICE E.V.VENUGOPAL

W.P.No.43650 of 2022

ORDER:

1. This Writ Petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“.....to issue a Writ, Order or direction more particularly one in the nature of Writ of mandamus, declaring the action of the respondents in issuing impugned Memo No.Spl/Secretary Peshi/2021-M56, dated 02.08.2022 rejecting the case of the petitioner which is contrary Clause 22(2) of Appendix to G.O.Ms.No.317 GA (SPF-I) Department dated 06.12.2021 as arbitrary, irregular and without application of mind and against Articles 14 and 16 of the Constitution of India and set aside the same and consequently direct to consider the case of the petitioner in terms of similar orders passed in case of similarly situated persons and re-allot the petitioner to Khammam District and pass such other order or orders.”

2. Learned counsel for the petitioner submits that the case of the petitioner stands good on merits and draws the attention of this Court to the medical certificate dated 20.12.2021 issued by the Medical Superintendent and Chairman, Medical Board, District Hospital, Khammam, wherein it is specifically stated that the daughter of the petitioner is suffering from LEFT PIAL AVF WITH POST ENDOVASCULAR ONTX EMBOLIZATION STATUS WITH POST PDA CLOURE WITH MODERATE MENTAL

RETARDATION. He also submits that in similar cases the respondents have passed the appropriate orders placing the other similarly placed persons by considering their case on same grounds. He further submits that the case of the petitioner was disposed of mechanically vide memo No.Spl/Secretary Peshi/2021-M56, dated 02.08.2022, without giving any reasons. He further submits that the petitioner would suffer a lot and her daughter will be deprived of in getting required medical attention at required in hospital if the petitioner is not granted the relief.

3. Mr.Nagaraju, learned Assistant Government Pleader representing learned Government Pleader for Services-I submits that the case of the petitioner has been considered in detail and accordingly the impugned orders came to have been passed in accordance with prescribed Regulations/Rules which are in force.

4. In view of the submissions made by both the learned counsel, this Court is inclined to direct the respondents to reconsider the case of the petitioner after verifying the

certificates issued by the Medical Superintendent and Chairman, Medical Board, District Hospital, Khammam, strictly in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition is disposed of. There shall be no order as to costs.

6. Miscellaneous petitions, if any, pending in this writ petition, shall also stand closed.

Dated:05.12.2022
Vsl

JUSTICE E.V.VENUGOPAL

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