

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

**THURSDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

WRIT PETITION NO: 21319 OF 2020

Between:

M.D.Abdul Ali, S/o, M.D.Yakub Ali, Aged about 46 years, Ex.Driver Contract
(C-986682), TSRTC, Mahedipatnam Bus Depot, Hyderabad.

...PETITIONER

AND

1. The Telangana State Road Transport Corporation, Rep. by its Managing Director, Bus Bhavan, Musheerabad, T.S.
2. The Regional Manager, TSRTC Hyderabad Region, MGBS, Hyderabad, T.S
3. The Depot Manager, TSRTC, HCU Bus Depot, Gachibowli, Hyderabad
4. The Depot Manager, TSRTC, Mehidipatnam Bus Depot, Hyderabad

...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 issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring that the action of the respondents in not allowing the petitioner into duty is bad, arbitrary, illegal, unjust and discriminatory and consequently direct the respondents to allow the petitioner in to duty as per proceedings No.PA/586(199)/2014-HR dt.26/7/2014 of the 2nd respondent herein.

Counsel for the Petitioner: SRI P.VENKATESWAR RAO

Counsel for the Respondents: SRI THOOM SRINIVAS, SC FOR TSRTC

The Court made the following: ORDER

THE HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

WRIT PETITION No.21319 of 2020

ORDER:

Petitioner is aggrieved of the action of respondents in not allowing him to duty.

2. I have heard the submissions of Sri P.Venkateshwar Rao, learned counsel for the petitioner, Sri Thoom Srinivas, learned Standing Counsel for TSRTC appearing for the Respondents and perused the record.

3. Petitioner was appointed as a Contract Driver in TSRTC in the year 2010. He absconded from duties during the period from 13.02.2012 to 25.04.2012 due to ill-health. Therefore, he was terminated from service vide proceedings, dated 23.06.2012. The appeal filed by him was rejected on 07.07.2014. On his preferring review before the 2nd respondent, he was ordered to be reinstated as a fresh Driver on contract basis by order, dated 26.07.2014 and he was instructed to produce 'no due certificate' and also to pay fresh security deposit and was asked to report at HCU Bus Depot within seven days. Petitioner could not make the security deposit within the time stipulated due to his personal problems, therefore, he is not allowed to join duty. He seeks direction to the respondents to permit him to join duty by accepting security deposit now.

4. When the matter is taken up, it is submitted by the learned counsel for the petitioner that in similar matters in W.P.Nos.31126 of 2012 and W.P.No.27104 of 2017, this Court directed the respondents to appoint the petitioners therein as Contract Drivers afresh subject to physical and medical tests and subject to fulfilling the eligibility criteria for such appointment.

5. Learned Standing Counsel has no objection for disposal of this writ petition in terms of the above orders of this Court.

6. In view of the above submissions and for the reasons stated in the aforesaid orders relied on by the learned counsel for the petitioner, this writ petition is disposed of directing the petitioner to furnish fresh security deposit within a period of four (04) weeks from the date of receipt of a copy of this order and upon furnishing such security deposit, the respondents are directed to consider the case of the petitioner for appointment as Contract Driver afresh subject to his fulfilling the eligibility criteria for such appointment and also subject to physical test, medical test and also driving test as per rules. No costs.

Pending miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

SD/- T. JAYASREE
ASSISTANT REGISTRAR
90
SECTION OFFICER

To,

1. The Managing Director, Telangana State Road Transport Corporation, Bus Bhavan, Musheerabad, T.S.
2. The Regional Manager, TSRTC Hyderabad. Region, MGBS, Hyderabad, T.S
3. The Depot Manager, TSRTC, HCU Bus Depot, Gachibowli, Hyderabad

4. The Depot Manager, TSRTC, Mehidipatnam Bus Depot, Hyderabad
5. One CC to SRI P.VENKATESWAR RAO, Advocate [OPUC]
6. One CC to SRI THOOM SRINIVAS, SC FOR TSRTC [OPUC]
7. Two CD Copies

BSR

SB

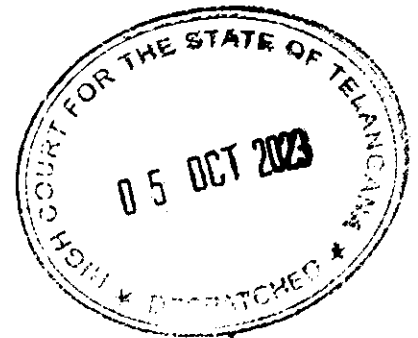
HW

HIGH COURT

DATED: 24/08/2023

ORDER

WP.No.21319 of 2020



**DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS**

9
29/9/23
A-4