

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

WEDNESDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SMT. JUSTICE JUVVADI SRIDEVI

WRIT PETITION NO: 21964 OF 2014

Between:

D.Gangadhar (E.No. 0301841), S/o Odemma, aged about 53 years,
Worked as Conductor, II Depot, TSRTC, Nizamabad.

...PETITIONER

AND

1. The Telangana State Road Transport Corporation, rep. by its Chairman Managing Director, Musheerabad, Hyderabad.
2. The Regional Manager, The Telangana State Road Transport Corporation, Nizamabad.
3. The Depot Manager - II, The Telangana State Road Transport Corporation, Nizamabad.

...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, especially one in the nature of Writ of Mandamus:

- i) declare the action of the respondents in declaring the petitioner as unfit to hold the post of Conductor as illegal and arbitrary
- ii) consequently direct the respondents to reinstate the petitioner into service as Conductor duly granting all other consequential and attendant benefits or in the alternative provide him alternative employment (in terms of Section 47 of The Persons with Disabilities (Equal Opportunities, Protection of Rights And Full Participation) Act) with due protection of wages.

I.A. NO: 1 OF 2014(WPMP. NO: 27554 OF 2014)

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 petitioner's representation dated 18-11-2013, pending disposal of the above writ petition.

Counsel for the Petitioner: SRI. K VASUDEVA REDDY

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.21964 of 2014

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner, seeking writ of mandamus declaring the action of the respondents in declaring him as unfit to hold the post of Conductor as illegal and arbitrary and a consequential direction to the respondents to reinstate him into service as Conductor duly granting consequential and attendant benefits or in the alternative provide him alternative employment (in terms of Section 47 of the Persons with Disabilities (Equal opportunities, Protection of Rights and Full Participation) Act) with due protection of wages.

2. Heard both sides. Perused the record.

3. This Court *vide* order, dated 04.08.2014 passed in W.P.M.P.No.27554 of 2014 in this writ petition directed the respondents to consider the petitioner's representation dated 18.11.2013 within a period of six weeks from the date of said order. Subsequently, the respondents passed an order in proceedings No.L1/785(37/14-RM:NZB, dated 25.02.2016 projecting the report dated 18.11.2013 holding that the request of

the petitioner for providing alternative employment is not acceptable. Challenging the said order, dated 25.02.2016 passed by the respondents, petitioner filed another Writ Petition No.39800 of 2015 before this Court, which is pending.

4. Since the respondents considered the representation, dated 18.11.2013 and passed an order as directed by this Court in W.P.M.P.No.27554 of 2014 in this writ petition, the cause in this writ petition does not survive for adjudication.

5. Accordingly, the Writ Petition is dismissed as infructuous.

Miscellaneous petitions pending, if any, shall stand closed.

There shall be no order as to costs.

SD/- N. CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to SRI. K VASUDEVA REDDY, Advocate [OPUC]
2. One CC to SRI. THOOM SRINIVAS, SC FOR TSRTC [OPUC]
3. Two CD Copies

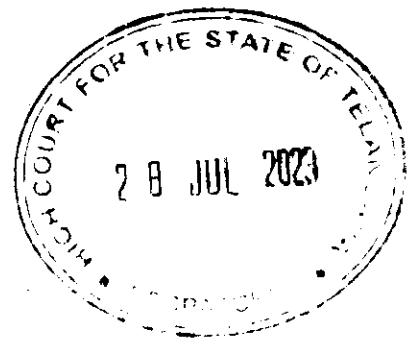
KKS
GJP

HIGH COURT

DATED:28/06/2023

ORDER

WP.No.21964 of 2014



**DISMISSING THE WP
AS INFRUCTUOUS
WITHOUT COSTS**

as

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MA
18/7/23