

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH
(Special Original Jurisdiction)

MONDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.1633 of 2015

BETWEEN

D.Laxmi and others

... PETITIONERS

AND

The State of Telangana, rep. by its Principal Secretary and others

...RESPONDENTS

The Court made the following:

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ORDER:

Heard.

2. Petitioners are widow and son of the deceased Nallaiah, who was killed by extremists on 08.09.1999 at Dubbak Village of Dharpally Mandal. It is stated that a case in F.I.R.No.42 of 1991 was registered by Dharpally police station. Petitioners state that the Government introduced a scheme of compassionate appointment to one of the dependants of the family of the victim vide G.O.Ms.No.469, dated 08.11.1996. Subsequently, the Government issued another G.O.Ms.504, dated 11.08.2008, directing the District Collectors to consider such applications for employment from the dependants. Petitioners state that under another G.O.Ms.50, dated

21.02.2014, further guidelines were issued, whereunder the District Collectors were authorized to take necessary action and the present scheme provides that if for any reason providing employment is not possible, *ex gratia* of Rs.5,00,000/- is to be paid to the eligible family members of the deceased.

3. It is further stated that petitioner No.2 moved applications to respondent No.2, seeking financial assistance in terms of the policy of the Government, referred to above. However, no action is taken on the said request though the petitioners have submitted all the relevant documents along with the said application. In the present writ petition, the petitioners claim that they would be satisfied if the compensation in lieu of employment is given. However, alleging inaction on the part of respondent No.2 in taking any decision on the petitioners' application, the present writ petition is filed.

4. It is pointed out by learned Government Pleader that in terms of G.O.Ms.No.50, dated 21.02.2014, if the petitioners are opting for compensation, they are required to execute an appropriate undertaking to be eligible for *ex gratia*. Learned counsel for the petitioners also states that the petitioners are willing to execute appropriate undertaking, as and when called upon to do so.

5. In the circumstances, the writ petition is disposed of directing respondent No.2 to take appropriate decision on the applications filed by the petitioners, referred to above, by taking note of the fact that the petitioners are seeking *ex gratia*, in lieu of employment in terms of G.O.Ms.No.50, dated 21.02.2014, and process the said application and if the petitioners are found eligible, respondent No.2 shall ask the petitioners to execute appropriate documents to be able to receive *ex gratia* in terms of the scheme, referred to above. Since the incident has occurred almost in the year 1989, it is imperative that appropriate decision is taken, as directed above, expeditiously, preferably before the end of March, 2015.

As a sequel, the miscellaneous applications, if any, shall stand

closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

February 2, 2015
LMV