

HON'BLE SRI JUSTICE S. RAVI KUMAR

WRIT PETITION No.2283 of 2003

ORDER:

This writ petition is filed to declare action of respondent Nos.1 to 3 in insisting upon legal heir certificate for the purpose of compassionate appointment as illegal, arbitrary and further direct respondent Nos.1 to 3 to consider the case of petitioner without insisting upon legal heir certificate and to consider dependency certificate issued by respondent No.4-Mandal Revenue Officer, Rebbanna Mandal, Adilabad District.

2. Petitioner is the elder son of deceased Syed Lal and he submitted application seeking compassionate appointment and the Department through letter dated 02.12.2002 requested petitioner to submit death certificate and legal heir certificate obtained from Revenue Authorities/Court and in response to the said letter petitioner submitted death certificate and dependency certificate issued by Mandal Revenue Officer, Rebbanna Mandal, Adilabad District. According to petitioner in spite of submitting these two certificates, respondent Nos.1 to 3 have not taken any action on the application of petitioner, therefore, he is constrained to approach this Court seeking direction to respondent Nos.1 to 3.

3. Advocate for petitioner submitted though respondents stated in their counter that they are considering all the pending cases of compassionate

appointments, till now no action is taken on the application of petitioner, therefore, a direction may be given to respondents to consider the application of petitioner in accordance with law without insisting for legal heir certificate as he has already produced dependency certificate, issued by Mandal Revenue Officer, Rebbanna Mandal, Adilabad District after due enquiry.

4. I have perused the material papers including the counter affidavit filed on behalf of respondents. In para 9 of the counter, it is specifically stated that a Committee at Corporate Office is likely to meet shortly to consider all the pending cases of compassionate appointments and that petitioner has no right for compassionate appointment and he can only request to consider his claim for compassionate appointment. Though the counter is filed in the year 2005, from the submissions of advocate for petitioner till now no action is taken and the application of petitioner is still pending with respondent Nos.1 to 3. Considering these aspects, I feel it appropriate to direct respondent Nos.1 to 3 to consider the application of petitioner sympathetically by considering the dependency certificate issued by Mandal Revenue Officer, Rebbanna Mandal, Adilabad District, and pass appropriate orders in accordance with law, as expeditiously as possible preferably within six months from the date of receipt of a copy of this order.

5. Accordingly, this writ petition is disposed of.

6. Miscellaneous petitions pending, if any, shall stand

closed. No costs.

Dt:14-12-2015
MAR

S. RAVI KUMAR, J