

HON'BLE MR JUSTICE R. KANTHA RAO

Writ Petition NO.12159 OF 2015

DATE:09.06.2015

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BETWEEN:

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Jadhav Heeralal .. Petitioner

And

The State of Telangana rep. by its Principal Secretary, General Administration (SC-A) Dept. Hyderabad and another

.. Respondents

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition NO.12159 OF 2015

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution

of India seeking to issue a writ of mandamus declaring the action of the second respondent in issuing Memo vide Letter No.D3/1074/2008, dated 13.10.2008 to the petitioner in rejecting the application of the petitioner seeking employment on compassionate ground under G.O.Ms.No.504, dated 11.08.2008 issued by the first respondent as illegal, arbitrary, irrational and *ultra vires* the provisions of A.P. (Regulation of Appointments to Public Services and Rationalisation of Staff Pattern and Pay Structures) Act, 1994 and violative of Articles 14 and 21 of the Constitution of India and consequently to direct the respondents to forthwith provide suitable employment to the petitioner on compassionate basis without reference to Clause 4 of G.O.Ms.No.504, dated 11.08.208 issued by the first respondent.

Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

The petitioner's father was killed by the extremists on 20.11.1991 by which time the petitioner was aged 8 years.

The petitioner made an application seeking compassionate appointment to the second respondent within three months from the date of issuance of G.O.Ms.No.504, dated 11.08.2008 after he became eligible for appointment. However, the second respondent by Memo No.D3/1454/2008, dated 13.10.2008 rejected the application submitted by the petitioner on the ground that as on the date of death of his father, he was under aged. Therefore, the petitioner filed the present writ petition seeking the aforesaid relief.

It is agreed by both the learned counsel appearing for the parties that the issue raised in this writ petition is squarely covered by order dated 02.09.2014 passed by this Court in W.P.No.22783 of 2014.

In view of the above, this writ petition is allowed and the respondents are directed to provide employment to the petitioner on compassionate grounds within two months from the date of receipt of a copy of this order. The observations made in W.P.No.22783 of 2014 shall be read as part of this order. There shall be no order as to costs. Pending miscellaneous petitions, if any, shall stand closed in consequence.

R.KANTHA RAO,J

Date:09.06.2015

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THE HON’BLE SRI JUSTICE R.KANTHA RAO

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