

HON'BLE SRI JUSTICE R.KANTHA RAO
W.P.No.549 OF 2012

ORDER

This writ petition is filed seeking to declare the action of the respondents in not considering the claim of the petitioner for appointment on compassionate grounds, as arbitrary and illegal.

The petitioner is the second wife of the deceased – K.Chinnaiah. The said Chinnaiah obtained divorce from his first wife on 22.11.2003 in O.P.No.63 of 2002 of VI Additional Sessions Judge, Nizamabad. Thereafter, the deceased married the petitioner on 27.06.2004. While working as Additional Assistant Engineer, he died on 29.12.2005 due to cancer. As per the scheme evolved in the respondent-Company, she is entitled to appointment on compassionate grounds since her husband-Chinnaiah died in harness. The name of the petitioner is also entered in the Service Register of the deceased as nominee. After death of her husband, the petitioner submitted several representations to the respondents along with all the certificates as sought by them for appointment on compassionate grounds in any suitable post. But, so far no orders have been passed.

Counter-affidavit has been filed on behalf of the respondents, wherein it is stated that the Mandal Revenue Officer, Nizamabad *vide* reference dated 30.06.2006 has legally endorsed Smt Swapna @ Sharada as wife of the deceased employee. It is further stated that there are some discrepancies in the certificates produced by the petitioner

and therefore, they were sent for verification to appropriate authorities. It is also stated that without awaiting the decision to be taken by the department on the issue, the petitioner rushed to this Court.

Learned counsel appearing for the petitioner submits that the petitioner has six months old child, and she has no other source of income to maintain herself and her child.

Having considered the submissions on either side, the respondents are directed to examine the certificates and other documents submitted by the petitioner seeking appointment on compassionate grounds and consider the case of the petitioner as per the regulations of the Department governing the compassionate appointment subject to her eligibility, within a period of eight weeks from the date of receipt of a copy of this order.

Writ Petition is disposed of accordingly. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE R.KANTHA RAO

5th August, 2015
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