

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.27469 of 2012

ORDER :

Heard the counsel for petitioner, and Sri N. Vasudeva Reddy, learned Standing Counsel for Telangana State Road Transport Corporation, for respondents.

2. The petitioner herein is the wife of one by name Sri E. Krishna, who joined the service of the respondent-Corporation as Driver on 21.07.1990. But he died on 05.12.2008 while in harness, leaving behind the petitioner, two daughters and a son.

3. The petitioner submitted a representation by way of Legal Notice on 08.02.2012 to respondent nos.1 and 2 as well as Depot Manager, Andhra Pradesh State Road Transport Corporation, Parigi, Ranga Reddy District, seeking appointment on compassionate grounds.

4. There was a ban on providing appointments on compassionate grounds till 2013. However, subsequent thereto the ban has been lifted, and there is no impediment for the respondents to accommodate the petitioner under the said scheme.

5. In the counter-affidavit filed by respondents, in paragraph no.5 it is stated that petitioner had made representation to the Depot Manager, Tandoor.

6. This appears to be factually incorrect because copy of the Legal Notice sent on 08.02.2012 by petitioner shows that it was addressed to the Depot Manager, Parigi only and not to the Depot Manager, Tandoor.

7. In any event, the said Legal Notice was also sent to the Managing Director of 1st respondent.

8. Therefore, the reason given for not considering the case of petitioner for not providing employment on compassionate grounds by respondents is not a valid reason. While there may have been some justification for not appointing the petitioner on compassionate grounds up to 2013 on the ground that there is a ban imposed by the Government, subsequent to that date there cannot be any valid reason to deny the petitioner appointment on compassionate grounds under the 'Bread Winner' Scheme, since G.O.Ms.No.2 dt.05.01.2013 had been issued by the State Government relaxing the ban.

9. Accordingly, the Writ Petition is allowed, and the respondents are directed to provide appointment on compassionate grounds to petitioner under the 'Bread Winner' Scheme being followed by respondents within a period of eight (08) weeks from the date of receipt of a copy of this order. No order as to costs.

10. As a sequel, miscellaneous petitions pending if any in this Writ Petition, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 16-11-2016

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