

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.20760 of 2016

ORDER:

The petitioner's father while working as a Mechanic of Madhira Depot expired on 01.09.2012. He left behind him the petitioner's mother and petitioner. The mother of petitioner submitted an application on 19.06.2013 to respondent No.2 to consider the case of petitioner for providing employment under the Bread Winner Scheme for the post of Conductor. The said application was rejected by order dated 31.03.2015 on the ground that the petitioner was born on 09.11.1996 and he did not fulfil the age requirement of 21 years. It was further stated that since the petitioner attains the age of 21 years on 08.11.2017 and by that time the period of five years from the date of death of the petitioner's father would be over and hence, they cannot consider the application. The petitioner submits that the said ground is not applicable for the post below the category of Conductor and hence, he submitted a representation on 02.05.2016, which was received by respondent No.2 on 04.05.2016, requesting for consideration of his case under the Bread Winner Scheme for the post of Shramic/Cleaner or any other post, for which the minimum age requirement is below 21 years. When the said representation was not considered, the present writ petition was filed.

Though notice before admission was ordered on 28.06.2016 and the matter was adjourned on 26.07.2016, none appears for the respondents today and no counter affidavit is filed when the case is taken up for consideration.

In the circumstances of the case, as rightly submitted by the learned counsel for petitioner, the case of petitioner should

have been considered for the post other than the post of Conductor, since he is eligible for being considered for other post even though he is below 21 years of age.

In the circumstances, this Writ Petition is disposed of directing respondent No.2 to consider the representation of petitioner dated 02.05.2016 and pass appropriate orders thereon within a period of three (3) months from the date of receipt of a copy of this order. No order as to costs.

Miscellaneous Petitions pending, if any, shall stand closed.

A.RAMALINGESWARA RAO, J

27.07.2016

MVA