

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP. Nos.35455 and 35623 of 2016

COMMON ORDER:

Heard counsel for the petitioners, the Government Pleader for Services appearing for respondents 1 to 4, and Sri N.Praveen Kumar, Standing counsel for 5th respondent.

2. Petitioners seek compassionate appointment as legal heirs of their relatives, who worked as NMRs in the Grampanchayats which are predecessors of the 5th respondent-Municipality. They had filed representations on 13.07.2013, 20.06.2011 and 05.04.2011, respectively, before the 5th respondent seeking said benefit. They placed reliance on G.O.Ms.No.118 Finance & Planning (FW.PC.III) Department, dt.18.08.1999. They allege that their cases are not being considered by the 1st respondent though their applications are long pending.

3. Counsel for the petitioners contended that G.O.Rt.No.566, Municipal Administration & Urban Development (D2) Department, dt.11.08.2016 had been issued by the 1st respondent constituting a Committee under the Chairmanship of the District Collector to recommend the proposals with regard to regularization of services in the Municipal Corporations in terms of G.O.Ms.No.212, dt.22.04.1994 and G.O.Ms.No.118, dt.18.08.1999, but the said G.O. will not apply to the present case, since the petitioners' applications for compassionate appointment were made long before the issuance of the G.O.Rt.No.566, dt.11.08.2016.

4. The Government Pleader for Services appearing for respondents 1 to 4 states that the said G.O.Rt.No.566 dt.11.08.2016 cannot have any retrospective operation and assures that the 1st respondent will consider the case of the petitioners for compassionate appointment in terms of G.O.Ms.No.118 dt.18.08.1999 within a period of eight (08) weeks from the date of receipt of a copy of this order, without reference to G.O.Rt.No.566, dt.11.08.2016, and communicate his decision thereon to the petitioners.

5. Therefore, the Writ Petition is disposed of directing the 1st respondent to consider the representations made by the petitioners for compassionate appointment in terms of G.O.Ms.No.118 Finance & Planning (FW.PC.III) Department, dt.18.08.1999 within a period of eight (08) weeks from the date of receipt of a copy of this order, without reference to G.O.Rt.No.566, dt.11.08.2016, and communicate his decision thereon to the petitioners. There shall be no order as to costs.

6. Consequently, miscellaneous petitions pending, if any, in this Revision shall stand closed.

M.S.RAMACHANDRA RAO, J

21st October, 2016.
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