

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.3781 OF 2009

ORDER:

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

The case of the petitioner is that his brother one V.Ramanjaneyulu, who worked as CT/Guard in CRPF, Head Quarters, Mattan, died on 04.01.2006 while in service. In those circumstances, he submitted an application to the respondents for his appointment on compassionate grounds in Group-D services. The third respondent recommended his case to the second respondent. When the second respondent rejected his request, the present writ petition was filed.

The petitioner states that he is physically handicapped to the extent of 50% disability and in spite of the said disability, he can work like any other humanbeing.

A reading of the letter, dated 12.03.2017, issued by the third respondent shows that though the proposal was submitted by the third respondent for appointment of the petitioner on compassionate grounds to the second respondent, the second respondent vide his letter, dated 19.02.2007 informed that the application of the petitioner cannot be entertained and as per the Standing Orders of the Organisation, only physically and medically fit candidates are eligible for appointment in this force. Accordingly, the third respondent communicated the same to the father of the petitioner.

When this matter was taken up for consideration on earlier occasion, the learned standing counsel for the respondents was directed to get instructions with regard to the feasibility of appointing the petitioner in any post. Now, on instructions, he submits that as per the Standing Order 5 of 2001, even the compassionate appointment can be considered only if the persons are medically fit and suitable for the post in all respects. Under the provisions of the relevant Recruitment Rules, there is no provision for relaxation and

since the petitioner is a disabled person having 50% disability, the respondents expressed their inability to accommodate him under compassionate appointment.

In view of the existence of Standing Order 5 of 2001 making no provision for employment to the disabled persons, this Court cannot grant any direction in favour of the petitioner and the order of the respondent Nos.2 and 3 cannot be interfered with.

The writ petition is accordingly dismissed. Consequently, miscellaneous petitions pending, if any, shall also stand closed.

A.RAMALINGESWARA RAO, J

19.07.2017
pln

