

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.5979 OF 2001

ORDER:

1. This writ petition is filed seeking to issue a writ of mandamus declaring the action of the respondents in not considering the case of the petitioner for appointment as attender on compassionate grounds in the 4th respondent-Corporation, as illegal and arbitrary, and consequently, to direct the respondents to appoint the petitioner as an attender or in any other suitable post on compassionate grounds.

2. Heard Sri T.C. Krishnan, learned Counsel for the petitioner and Sri B. Prakasam, learned Counsel for respondents Nos.2 to 4.

3. It has been submitted by the learned Counsel for the petitioner that the husband of the petitioner was initially appointed as jeep driver in the then District Scheduled Caste Co-operative Society Limited, Chittoor and while he was discharging his duties on 6.4.1996, he met with an accident and died and then, the petitioner made an application on 2.7.1996 to the 4th respondent to appoint her on compassionate grounds as her entire family is put to starvation, and that the case of the petitioner was recommended by the 3rd respondent-society to the 2nd respondent. Be that as it may, the case of the petitioner was not considered for appointment on compassionate grounds.

4. It is stated in the counter-affidavit filed on behalf of respondents Nos.2 to 4 that the husband of the petitioner was appointed on temporary basis in the office of Executive Engineer (SW), District Scheduled Caste Co-operative Society Limited, and the Engineering Wing of the said District Scheduled Caste Co-operative Society Limited had been transferred to the

A.P. Education and Welfare Infrastructure Development Corporation as per its G.O.Ms.No.198, dated 3.11.2008 and that the death benefits of the deceased were paid to the petitioner herein by the A.P. Education and Welfare Infrastructure Development Corporation and that the assets and liabilities including the staff of Engineering Wing of the erstwhile District Scheduled Caste Co-operative Society Limited were taken over by A.P. Education and Welfare Infrastructure Development Corporation.

5. In the circumstances stated in the counter-affidavit, it would be appropriate to direct the petitioner to make a representation to the A.P. Education and Welfare Infrastructure Development Corporation for settlement of terminal benefits of her husband. Accordingly, the petitioner is directed to make a representation to the A.P. Education and Welfare Infrastructure Development Corporation for settlement of terminal benefits. The petitioner may also submit a representation seeking compassionate appointment. On such representation being submitted by the petitioner, the A.P. Education and Welfare Infrastructure Development Corporation would consider and pass appropriate orders as per the rules and settle the terminal benefits of the husband of the petitioner, and may also consider the case of the petitioner for compassionate appointment, if there any such scheme for doing so.

6. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

(ABHINAND KUMAR SHAVILI,J)

19th December, 2017
Nn

THE HON'BLE Mr. JUSTICE ABHINAND KUMAR SHAVILI

Writ Petition No.5979 of 2001

19.12.2017

Nn

