

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION (TR) No.1032 OF 2017

DATED : 26.07.2017

Between :

T.Anjaiah S/o.Raja Mallaiah,
Aged about 45 yrs, R/o.Veernapally,
Yellareddipet Mandal,
Karimnagar District & another.

.. Petitioners/Applicants

And

The Tahsildar, Yellareddypet,
Karimnagar District & others.

.. Respondents



This court made the following :

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ORDER :

Heard.

2. Father of the first petitioner and grand father of the 2nd petitioner T.Raja Mallaiah, worked as Revenue Assistant in Veernapally village in Karimnagar District. He died on 09.01.2012. Second petitioner being grand son applied to provide appointment on compassionate grounds. The claim of the 2nd petitioner was considered and by order impugned dated 15.03.2012 it was rejected on the ground that the deceased was aged 72 years as per the voter identity card particulars and 75 years as per the ration card. Therefore, his age at the time of death was assessed at 80 years and the claim was rejected on that ground. Assailing the same, petitioner filed O.A.No.7403 of 2013, since transferred to this Court.

3. Rule 8 (3) of the Andhra Pradesh Village Servants Service Rules provide appointment on compassionate grounds to the spouse or dependant children of the village servant who died in harness. It imposes two conditions; (i) Ex-village servant should not cross 60 years of age at the time of his death and (ii) application should be made within one year. If any of these two conditions are not satisfied, claim for appointment on compassionate grounds cannot be granted. The memo impugned discloses that at the time of death, the ex-employee was more than 60 years of age. This statement of the authority rejecting the claim is not disputed by the petitioners. The only plea raised is that at

the time of death, the ex-employee was working and therefore, rejection is not valid.

4. Having regard to the statutory mandate, I do not see any illegality in the order impugned warranting interference by this Court. Writ petition deserves no consideration.

5. Accordingly, the writ petition (Tr) is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition (Tr) shall stand closed.

26th July, 2017
Rds

P.NAVEEN RAO,J

