

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.42659 of 2016

Date: 17.01.2017

Between:

Goli Anandamma W/o late Saidulu, Aged 42 years,
Occu: Household, R/o.H.No.1-9-272/1, Adikmet,
Hyderabad.

.....Petitioner

and

The State of Telangana, rep.by its Principal Secretary
to Municipal Administration & Urban Development
Department, Secretariat Buildings, Hyderabad and
Others.

.....Respondents

The Court made the following:



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ORDER:

Mr. G.Ravi Kumar while working as Kamatee in Ward No.3/B, Health section, Circle No.9, G.H.M.C, Hyderabad died on 09-11-2010. After his death, his elder brother G.Saidulu submitted an explanation on 21-10-2013 to provide appointment on compassionate grounds. The request of Sri G.Saidulu was considered and vide proceedings dated 05-02-2014 his request was rejected and was accordingly informed. It appears, said G.Saidulu died on 19-11-2015. Petitioner, wife of Sri G.Saidulu, claims appointment on compassionate grounds on the ground of death of her husband's brother.

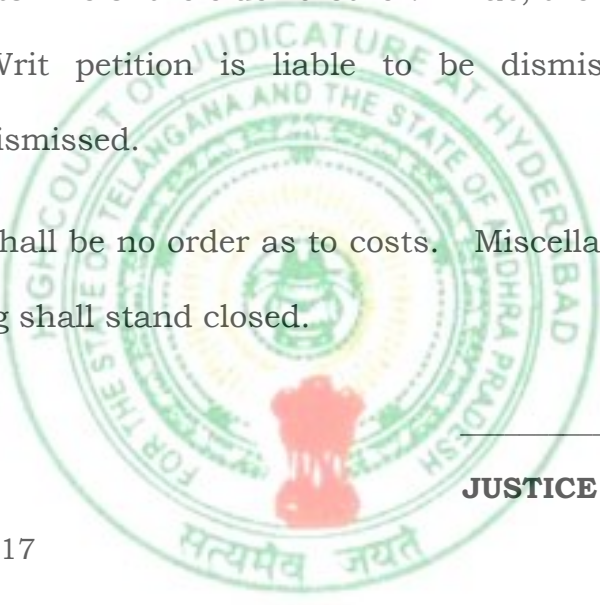
2. As per the material papers filed along with the writ petition, it is seen that the matter was considered by the Government and in their Memo No.6778/F1/2015-1, dated 25-8-2015, confirmed the decision of the Commissioner rejecting the claim for provision of compassionate appointment. Petitioner challenges the said decision of the Government and letter written by the Commissioner to the Government and seeks further direction to consider the representations submitted by her husband and representation submitted by her, after the death of her husband.

3. The scheme of compassionate appointment is governed by orders of the Government issued from time to time. In G.O.Ms.No. 612 General Administration (Services-A) Department dated 30.10.1991 the benefit of provision of compassionate appointment to younger brother/sister of the deceased Government Servant is

extended, if such person remained unmarried and there is no other earning member in the family.

4. A bear perusal of this scheme makes it clear that only younger brother/sister of the diseased Government Servant, who is unmarried is entitled to be considered. In the instant case, husband of the petitioner was elder brother and was already married by that time. Thus, both the contingencies are not attracted to claim application of G.O.Ms No.612 dated 30-10-1991. At any rate, there is no provision made to provide compassionate appointment to wife of the elder brother. Thus, there is no merit in the claim. Writ petition is liable to be dismissed and it is accordingly dismissed.

There shall be no order as to costs. Miscellaneous petitions if any pending shall stand closed.



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