

HON'BLE SRI JUSTICE SANJAY KUMAR
AND
HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION No.2551 of 2017

ORDER: *(per Hon'ble Sri Justice Sanjay Kumar)*

The petitioner is the unsuccessful applicant in O.A.No.914 of 2016 on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad, which was dismissed vide order dated 04.3.2016. By way of the said O.A., the petitioner sought to assail the action of the authorities in not considering his representation dated 06.8.2015 and in issuing memo the dated 10.11.2014 earlier, whereby his claim for compassionate appointment was rejected. By the order under challenge, the Tribunal opined that no statutory duty was cast on the respondents to dispose of the representation dated 06.8.2015 addressed by the petitioner/applicant to the Chief Minister and accordingly dismissed the O.A.

It is an admitted fact that the father of the petitioner, a Junior Veterinary Officer in the service of the State, met with an accident on 14.12.2005 and expired thereafter on 05.4.2006. In the interregnum, he attained the age of superannuation on 31.12.2005. It is also admitted by the petitioner that he first made a representation to the authorities seeking compassionate appointment only on 21.4.2011. He then initiated litigation in relation to the inaction on the part of the authorities in considering his case for compassionate appointment and ultimately submitted representation dated 06.8.2015 to the Chief Minister of the State informing him that the Director, Animal Husbandry, State of Telangana, has rejected his application vide memo dated 10.11.2014 and that his case may be treated as a special one so that he could be appointed to any suitable post on compassionate grounds.

The aforesaid facts, admitted as they are, clearly bring out that after the death of his father on 05.4.2006, the petitioner did not lift a finger till 21.4.2011 to seek appointment on compassionate grounds.

It is well settled that appointment on compassionate grounds is not a mode of recruitment and is only a welfare measure intended to aid the family of the deceased employee tide over the crisis of losing the bread-winner. When the petitioner saw no reason to even ask for such appointment for more than five years after his father's death, it is clear that he did not require such employment to come to the aid of the bereaved family. The delay on his part in seeking compassionate appointment is therefore fatal. We find no grounds whatsoever to interfere with the order passed by the Tribunal dismissing the O.A.

The Writ Petition is devoid of merit and is accordingly dismissed.

Pending Miscellaneous Petitions, if any, shall also stand dismissed. No order as to costs.



JUSTICE SANJAY KUMAR

JUSTICE M. GANGA RAO

12th December, 2018
DR