

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.10827 OF 2009

ORDER:

1. This writ petition is filed seeking to issue a writ of Mandamus declaring the action of the respondents in rejecting the claim of the petitioner by proceedings dated 23.5.2009 for his son's appointment under compassionate grounds under the Scheme framed by the 1st respondent in G.O.Ms.No.661, dated 23.10.2008, as illegal and arbitrary, and consequently, to direct the respondents to appoint the petitioner's son viz., Attar Shaik Hussain in any suitable post.

2. Heard Sri S.A.K. Mynoddin, learned Counsel for the petitioner and Sri P. Durga Prasad, learned Standing Counsel for the respondents.

3. It has been contended by the petitioner that the petitioner was initially appointed as conductor in the year 1990, and while he was discharging his duties, he suffered from ill-health due to lunatic disease and therefore, he requested the respondents to retire him on medical invalidation and to consider the case of his son for compassionate appointment in terms of G.O.Ms.No.661, dated 23.10.2008, but the respondents have not considered the request of the petitioner and rejected his case vide proceedings dated 23.5.2009 and aggrieved by the same, the present writ petition is filed.

4. Learned Counsel for the petitioner submitted that during the pendency of this writ petition, the respondents issued a circular dated 3.6.2015 wherein the respondents have taken a policy decision to provide employment either to spouse or child of the employees, who retired on medical grounds, and in view of the same, the respondents may be directed to consider the case of the petitioner.

5. Learned Standing Counsel for the respondents has not disputed the said circular.

6. In view of the above circumstances, this Court is of the view that this writ petition can be disposed of directing the respondents to consider the case of the petitioner in terms of the circular dated 3.6.2015.

7. Accordingly, the Writ Petition is disposed of directing the respondents to consider the case of the petitioner in terms of Circular dated 3.6.2015, and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Dated: 12th October, 2018.
Nn.

HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI



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12/10/2018

Nn.