

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

**WRIT PETITION Nos.25827 of 2012, 16241 & 35036 of
2013, 10486 & 30469 of 2015 & 19250 of 2016**

COMMON ORDER :

As the issue involved in all these Writ Petitions pertains to inaction of the respondents in providing employment on compassionate grounds to the kin of the deceased persons, who died in extremist violence, as per G.O.Ms.No.504 General Administration (SC-A) Department dated 11.08.2008, they are being heard together and disposed of by way of this Common Order.

Heard Sri B.H.R.Choudary, learned Counsel for the petitioners and learned Government Pleader for General Administration appearing for respondents 1 and 2.

Learned counsel for the petitioners submits that all these petitioners are victims of extremist violence and they have made applications for considering their case for appointment on compassionate grounds in terms of G.O.Ms.No.469, General Administration (SC.A) Department, dated 08.11.1996 and G.O.Ms.No.504, General Administration (SC.A) Department, dated 11.08.2008. However, the Government has rejected their applications only on the ground that they are minors at the time of making applications. He also submits that in similar circumstances, this Court has allowed the Writ Petitions i.e, W.P.No.24117 of 2010, dated 06.11.2010 and same was confirmed in Writ Appeal No.69 of 2012 dated 23.02.2012 and W.A.No.415 of 2012 dated 11.04.2012 and same were confirmed

in the Special Leave Petition No.9520 of 2013, dated 24.02.2014, by the Hon'ble Supreme Court, as such, the *lis* in these Writ Petitions are covered by the aforesaid judgments.

On the other hand, learned Government Pleader for General Administration by producing G.O.Rt.No.2493, General Administration (SC.D) Department, dated 07.09.2015 submits that the G.O.Ms.Nos.469, dated 08.11.1996 and 504, dated 11.08.2008, relied on by the learned counsel for the petitioners, have been withdrawn by the State of Telangana and that the Government wants to take fresh policy decision in this regard. He submits that the petitioners are not entitled for appointment on compassionate basis when the aforesaid G.Os are not in force.

In this case, it is to be seen that the government has withdrawn G.O.Ms.Nos.469, dated 08.11.1996 and 504, dated 11.08.2008 by G.O.Rt.No.2493, dated 07.09.2015. However, in similar circumstances, by considering the aforesaid G.Os, learned Single Judge of this Court has set aside the similar impugned proceedings in W.P.No.20637 of 2012 and batch dated 26.12.2017, wherein the victims of extremist violence denied employment on compassionate basis on the ground of petitioners therein being minors.

A perusal of affidavits filed in support of these petitions shows that the death of the deceased occurred in the years 1982, 1988, 1992, 1994 and 1998, as such, the G.O.Ms.Nos.469, dated 08.11.1996 and 504, dated 11.08.2008

are applicable to the petitioners' cases, since the Government of Telangana has withdrawn the aforesaid Government Orders only in the year 2015 by G.O.Rt.No.2493, dated 07.09.2015.

In view of the same, these writ petitions are also allowed by setting aside the impugned orders and the matters are remanded to the second respondent for consideration of cases of the petitioners for appointment within a period of six months, from the date of receipt of a copy of this order, in accordance with the Government Orders issued in G.O.Ms.No.469, General Administration (SC.A) Department, dated 08.11.1996 and G.O.Ms.No.504, General Administration (SC.A) Department, dated 11.08.2008.

There shall be no order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

16.04.2018
kvs

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