

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.36631 OF 2018

ORDER

With the consent of learned counsel on either side, the writ petition is disposed of at the admission stage.

This writ petition is filed seeking the following relief:

“..to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the respondents 3 and 4 in not issuing Family Member Certificate to the petitioner, which is required for considering the petitioner for compassion appointment, only on the false objection of one Mr.Roppala Venkata Ramana, who has nothing to do with the family of the petitioner, is highly illegal, arbitrary and violative of Article 14 of the Constitution of India, consequently direct the respondents 2 to 4 to issue Family Member Certificate, upon conducting enquiry in favour of petitioner, in the interest of justice and pass such order or orders as this Hon'ble Court deems fit just and proper in the circumstances of this case.”

Heard Sri G.V.Shivaji, learned counsel appearing for the petitioner and learned Government Pleader for Revenue appearing for the respondents.

It is the case of the petitioner that while working as Village Revenue Assistant of Chinna Gangavaram Village, his father expired on 8.5.2018, leaving behind him and other family members. He submitted a representation on 9.6.2018

to the District Collector for issuance of Family Member Certificate so as to enable him to seek appointment on compassionate grounds in any suitable post. But respondents 2 to 4 are not issuing the said Certificate.

The grievance of the petitioner is that as per the Rules, respondents 2 to 4 are bound to conduct enquiry and issue the Family Member Certificate, which is mandatory to seek appointment on compassionate grounds.

Learned Government Pleader for Revenue appearing for the respondents submits that the representation of the petitioner for issuance of Family Member Certificate will be considered by respondents 2 to 4 after conducting detailed enquiry.

Having considered the rival submissions made by the learned counsel on either side, this Court is of the view that ends of justice would be met if a direction is given to respondents 2 to 4 to consider the representation of the petitioner for issuance of Family Member Certificate.

Accordingly, the Writ Petition is disposed of directing respondents 2 to 4 to consider the representation dated 9.6.2018 of the petitioner for issuance of Family Member Certificate so as to enable him to seek appointment on

compassionate grounds and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. No costs.

JUSTICE ABHINAND KUMAR SHAVILI

11th October, 2018
rkk

