

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.850 of 2019

ORDER:

This Writ Petition is filed seeking a Writ of Mandamus declaring the action of respondents in not considering the claims of petitioners for appointment in any suitable post on compassionate grounds in terms of Memo dated 02.07.2018, basing on the qualification possessed by petitioners and further notifying vacancies for filling up posts on outsourcing basis vide publication in Sakshi Daily News paper on 30.12.2018 as illegal, arbitrary and violative of principles of natural justice.

Heard Mr.D.Linga Rao, learned counsel for petitioners and the learned Government Pleader for Services-II.

It has been contended by the petitioners that they are children of deceased employees of the 3rd respondent Corporation. They have submitted representations to consider their cases for appointment on compassionate grounds. The representations submitted by the petitioners were considered favourably by the 3rd respondent Corporation and the 3rd respondent Corporation has agreed in principle to extend the scheme of compassionate appointment to the dependants of the deceased employees. To that effect, the 3rd respondent has submitted proposal on 20.02.2018 agreeing to extend the scheme of compassionate appointment to the deceased employees' children. Basing on the recommendations made by the 3rd respondent, the State Government vide Memo dated 02.07.2018 had directed the Commissioner, Tribal Welfare, to submit a detailed proposal considering each application in terms of GOs., and guidelines issued from time to time. Now, it is for the Commissioner, Tribal

Welfare to submit a report pursuant to the Memo issued by the State Government. Therefore, the petitioners contended that appropriate orders be passed directing the Commissioner, Tribal Welfare to submit a report in pursuance of the Memo dated 02.07.2018 and thereupon direct the State Government to take prompt decision to extend the scheme of compassionate appointment in respect of 3rd respondent Corporation.

Learned Government Pleader appearing for respondents contended that the State Government had issued Memo dated 02.07.2018 and appropriate orders would be passed in accordance with law after receipt of report from the Commissioner, Tribal Welfare.

In view of the above submissions, this Court is of the considered view that this writ petition can be disposed of directing the Commissioner, Tribal Welfare, to submit a report to the 1st respondent in pursuance of Memo dated 02.07.2018 issued by the State Government. Thereupon, the 1st respondent is directed to consider the proposal submitted by 3rd respondent and also the report likely to be submitted by the Commissioner, Tribal Welfare, and pass appropriate orders in accordance with law. The entire exercise shall be completed within a period of six months from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

22-01-2019
Prv

