

**HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**WRIT PETITION No.2337 of 2019**

**ORDER :**

This writ petition is filed seeking Writ of Mandamus to declare the action of the respondents in not considering the case of the petitioner for appointment as Shramik on compassionate grounds inspite of her representation dated 16.10.2017 followed by personal visits, as illegal, arbitrary and unconstitutional, and consequently sought a direction to the respondents to appoint the petitioner as Shramik under Bread Winner Scheme.

The case of the petitioner is that while working as Shramik in the respondents – Corporation, her husband died on 02.08.2013 due to heart attack. Thereafter, the petitioner has submitted an application seeking appointment on compassionate grounds under Bread Winner Scheme. Though the case of the petitioner was initially considered for the post of Conductor and sent for training vide proceedings bearing No.P2/BWS(2)/2017-RM: MBNR, dated 26.08.2017, issued by respondent No.2, her case was rejected on the ground that she could not succeed in the said training. Thereafter, the petitioner has submitted another representation dated 16.10.2017 seeking appointment as Shramik or in any suitable post, however, there is no response from the authorities concerned. Hence the present writ petition.

Heard Sri G. Rajesh, learned counsel for the petitioner and Sri B. Mayur Reddy, learned Standing Counsel for the respondents – Corporation.

Learned counsel for the petitioner contends that the action of the respondents in not passing any orders on the representation dated 16.10.2017 submitted by the petitioner nor considering her case for appointment as Shramik on compassionate grounds under Bread Winner Scheme, as arbitrary and illegal and, therefore, contends that appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for appointment as Shramik or in any suitable post on compassionate grounds as per her qualification under Bread Winner Scheme.

On the other hand, the learned Standing Counsel for the respondents – Corporation contends that the case of the petitioner will be considered and appropriate orders would be passed on the representation dated 16.10.2017 submitted by the petitioner in accordance with law.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation dated 16.10.2017 submitted by the petitioner seeking appointment as Shramik or in any suitable post on compassionate grounds under Bread Winner Scheme and pass appropriate orders in

accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order.

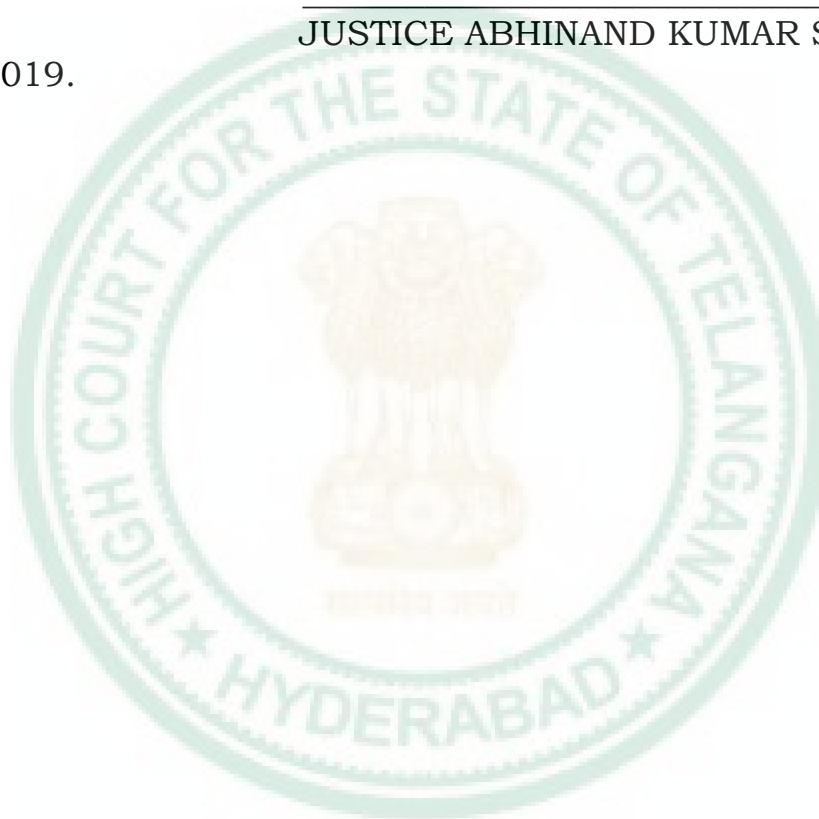
With the above observations, the writ petition is disposed of. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, in this writ petition shall stand closed.

14.02.2019.  
Msr

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JUSTICE ABHINAND KUMAR SHAVILI



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