

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.16581 of 2009

ORDER

This writ petition is filed seeking the following relief:

“...to issue a writ, order or direction more particularly one in the nature of a Writ of Mandamus to call for the records pertaining to the orders of the 2nd respondent in issuing order No.E7/785(1)/08-GHZ, dt 18.08.2008 rejecting the case of the petitioner for compassionate appointment and set aside the same as arbitrary, illegal and violative of Articles 14, 16 and 21 and the guarantees given under the Constitution of India to direct the respondents to consider petitioner's case for compassionate appointment and declare the action of respondents in not considering petitioner's case for compassionate appointment as bad, illegal, arbitrary and unconstitutional and may pass such order or further orders as are deemed fit and proper in the circumstances of the case.”

Heard Sri C.Vijaya Lakshmi, learned counsel appearing for the petitioner and Sri N.Vasudeva Reddy, learned Standing Counsel appearing for the respondent-Corporation.

Learned counsel appearing for the petitioner submitted that the case of the petitioner was erroneously rejected by the respondent-Corporation *vide* order dated 18.08.2008 for appointment on compassionate grounds and the present writ petition is filed challenging the said rejection order. It is

further submitted that due to efflux of time, the petitioner is not interested to seek appointment on compassionate grounds and hence, the case of the petitioner may be considered for compensation to which he is entitled to, as per the scheme. It is prayed that the appropriate orders be passed directing the respondents to consider the case of the petitioner for grant of compensation in lieu of appointment on compassionate grounds.

Learned Standing Counsel appearing for the respondent-Corporation contended that the case of the petitioner will be considered only if he submits a representation seeking compensation in lieu of appointment on compassionate grounds.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition can be disposed of directing the petitioner to submit a representation to the respondent-Corporation seeking compensation in lieu of appointment on compassionate grounds within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondents shall consider the same and pass appropriate orders in accordance with Rules, within a period of eight weeks thereafter.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

17th September, 2019
rkk

