

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.5113 OF 2019

ORDER

This writ petition is filed seeking the following relief:

“to issue an appropriate writ order or direction more particularly one in the nature of Writ of Mandamus declaring that the petitioner is entitled for providing suitable appointment on compassionate grounds consequent on the death of her husband Sri Mohd Jaffar Hussain, HC 950, TSSPF, Unit High Court Hyderabad, while in service, with all consequential benefits by holding the action of the respondents in not considering the just claim of the petitioner for providing compassionate appointment consequent on the death of her husband under the guise of correspondence between them as illegal, arbitrary unjust, contrary to the policy of the Government on compassionate appointments and violative of Articles 14 and 16 of the Constitution of India and to pass such other and further orders as this Hon'ble Court may deem fit and proper.”

Heard Sri P.Amarender, learned counsel appearing for the petitioner, and learned Government Pleader for Home appearing for the respondents 1 to 4.

It is the case of the petitioner that while her husband was working as Head Constable, he expired on 24.05.2018. Thereafter, she has submitted a representation to the respondents on 26.2.2019 seeking appointment on compassionate grounds. But, without considering her case, the respondents are corresponding among themselves.

A perusal of the material discloses that the petitioner submitted a representation on 26.02.2019 itself and within 10 days, she has filed the present writ petition contending that the respondents are not considering her case under the guise of correspondence among themselves. No such internal correspondence was produced before this Court. Some breathing time has to be given to the respondents. The petitioner cannot approach this Court within 10 days after submitting the representation contending that the respondents are not considering her case for appointment on compassionate grounds. Therefore, this Court is not inclined to give a positive direction to the respondents to consider the case of the petitioner for appointment on compassionate grounds. There are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. However, it is always open for the petitioner to pursue her remedies in accordance with law. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

13th March, 2019
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