

HIGH COURT FOR THE STATE OF TELANGANA

**THE HON'BLE THE ACTING CHIEF JUSTICE
RAGHVENDRA SINGH CHAUHAN**

AND

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.A.No.421 of 2017

Date: 12.04.2019

Between:

B. Srinivas

...Appellant

and

The State of Telangana,
Rep. by its Principal Secretary,
Department of Revenue,
Secretariat, Hyderabad and others.

...Respondents

Counsel for the appellant : Mr. D.L. Pandu

Counsel for the respondent Nos.1 to 4: G.P. for Revenue

The Court made the following:

JUDGMENT: *(per the Hon'ble the Acting Chief Justice Raghvendra Singh Chauhan)*

Mr. B. Srinivas, the appellant, is aggrieved by the order dated 27.02.2017, passed by a learned Single Judge in W.P.No.4952 of 2017, whereby the learned Single Judge has dismissed the writ petition filed by the appellant for seeking compassionate appointment.

Briefly, the facts of the case are that, the petitioner's grandfather, Bhasamoni Naraiah, worked as a Kavalkar in the cluster of Tulekurdu Village, Yacharam Mandal, Ranga Reddy District. On 21.12.2014, he died in harness. Therefore, the petitioner, being his grandson, applied for appointment on compassionate grounds. However, as he was not granted appointment on compassionate ground, he filed the writ petition before the learned Single Judge. By order dated 27.02.2017, the learned Single Judge has dismissed the writ petition *inter alia* on the ground that there is no Rule or Scheme available which would entitle a grandson to seek appointment on compassionate basis on the death of his grandfather. Hence, this appeal.

Mr. D.L. Pandu, the learned counsel for the appellant, has raised a single contention before this Court: the learned Single Judge was not justified in dismissing the writ petition at the stage of fresh admission. Therefore, the impugned order deserves to be set aside by this Court.

Heard the learned counsel for the appellant, and perused the impugned order.

It is, indeed, trite to state that there is no bar in law which prevents a Court to dismiss the writ petition at the stage of fresh admission. Since the appellant could not establish his case on a *prima facie* basis, the learned Single Judge was justified in dismissing the writ petition. Therefore, the contention raised by the learned counsel for the appellant is clearly unsustainable.

For the reasons stated above, this Court does not find any merit in the present appeal. It is hereby dismissed.

As a sequel, Miscellaneous Petitions, pending if any, shall also stand dismissed. There shall be no order as to costs.

(RAGHVENDRA SINGH CHAUHAN, ACJ)

(A.RAJASHEKER REDDY, J)

Date: 12.04.2019
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