

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.14803 of 2019

ORDER:

With the consent of both the parties, this Writ Petition is disposed of at the admission stage.

This Writ Petition is filed for the following relief:

“.....Writ of Mandamus to declare the in action of the respondents in considering the case of the deceased father of the petitioner for regularization of his services without any legally valid reasons in the Last Grade Post on par with his juniors with retrospective effect by granting all consequential monetary benefits including arrears of pay when he was alive even after serving the respondent school from 1976 to 2015 and prays to direct the respondents to order for deemed regularization of the deceased father of the petitioner as per Government orders in G O Ms No.118 Finance and Planning (Fin.Wing.PC.III) Department dt.18.08.1999, with retrospective effect from the date of eligibility of deceased father of the petitioner on par with his juniors on possessing all the requisite statutory qualifications and eligibility by releasing all consequential monetary benefits including arrears of pay and to provide compassionate appointment to the petitioner from the date of his eligibility with back date by releasing all consequential monetary benefits due to shirking statutory responsibility and accountability by respondents willfully in not regularizing services of deceased father of petitioner without communicating any legally valid reasons to deny regularization on par with his juniors by awarding exorbitant costs to the petitioner and pass such other.....”

Heard Sri Ch.Ganesh, learned counsel for the petitioner, learned Government Pleader for Services-I and Sri G.Narendar Reddy, learned Standing counsel for 3rd respondent.

It has been contended by the petitioner that though his father was appointed as Sweeper with the respondents since 1976, the services of his father were not regularized during his life time from 1976 till his death on 21.07.2015. He further contends that the State Government has taken a policy decision vide G.O.Ms.No.118 dated 18-08-1999 holding that the daily wage workers who died while in service without regularization of their services, are entitled for deemed regularization and their children are also entitled for compassionate appointment. In view of the said G.O., he had submitted a representation on 12-11-2018 requesting the respondents to consider his case for appointment on compassionate grounds in terms of G.O.Ms.No.118 dated 18-08-1999. But so far the respondents have not passed orders on the said representation nor considered his case for appointment on compassionate grounds.

Learned counsel for the petitioner contends that appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for appointment on compassionate grounds by duly passing orders on the representation submitted by the petitioner.

Learned Government Pleader as well as the learned Standing counsel appearing for the respondents contends that the case of the petitioner would be considered and appropriate orders would be passed on the representation submitted by the petitioner in accordance with law.

This Court, having considered the rival submissions made by the learned counsel on either side, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation submitted by the petitioner on 12-11-2018 and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of copy of this order.

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

As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

18.07.2019
dv

