

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.19272 of 2019

Date : 9.9.2019

Between:

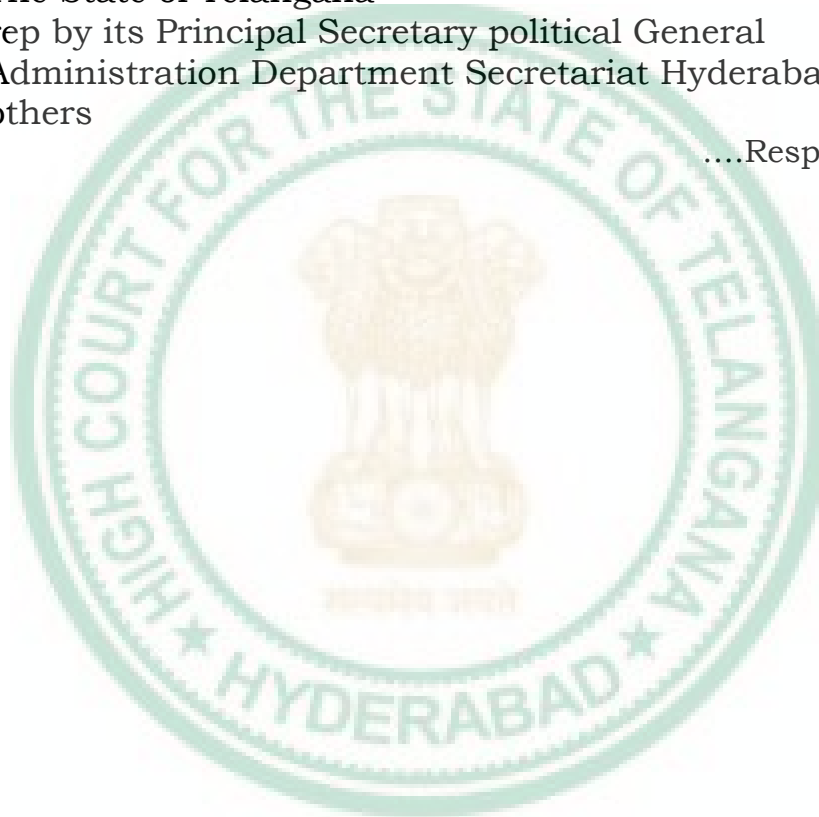
Marripally Bangaraiah, S/o M Lingaswamy, Aged about
26 years, Occ:Unemployee, R/o Appayipelli Village,
Lingal Mandal, Nagarkurnool District, Erstwhile
Mahabubnagar District Telangana State.

.....Petitioner

And

The State of Telangana
rep by its Principal Secretary political General
Administration Department Secretariat Hyderabad &
others

....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P. NAVEEN RAO

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ORAL ORDER:

This writ petition is filed praying for the following relief:-

“...to issue a writ or order or direction more particularly one in the nature of Writ of Mandamus declaring that the action of the 1st respondent herein in issuing Memo No 39526/SC A/A1/20091 dt 01-01-2010 as illegal irrational and violative Articles 14 & 21 of the constitution of India and consequently direct the respondents to forthwith provide suitable employment to the petitioner on compassionate basis without reference to clause 4 of G O Ms No 504 dt 11-08-2008 of the 1st respondent herein and pass ”

2. Heard learned Counsel for the petitioner and the learned Government Pleader for the respondents.

3. The case of the petitioner is that his father Mr. Marripally Lingaswamy was killed by the extremists on 22.9.2005; in terms of Government Orders in G.O.Ms No. 469 dated 8.11.1996 he is entitled to employment; that at the time of death of his father, he was minor and in terms of G.O.Ms No. 504 dated 11.8.2008 he is entitled to relaxation and made application to second respondent seeking compassionate appointment but his case was not considered on the ground that vide memo dated 1.1.2010, the Government directed that cases of minors for compassionate appointment in relaxation of rules cannot be considered.

4. Learned counsel for petitioner submitted that the second respondent on consideration of the social and financial problems of the family members of persons killed in extremist acts, addressed letter dated 24.6.2015 to the Government requesting to grant relaxation to nine persons including petitioner, who is at serial no.9 therein. He further submitted that though cases of

similarly situated persons were considered in terms of G.O.Ms.No.469 dated 8.11.1996 and G.O.Ms.No.504 dated 11.8.2008, petitioner was discriminated and the issue raised in this writ petition is covered by orders of this Court in W.P. 24117 of 2010 as confirmed in W.A.No.69 of 2012, as further confirmed in SLP (Civil) No. 9521 of 2013. Learned counsel further submitted that though petitioner approached the second respondent several times with a request for appointment on compassionate grounds, his case was not considered.

5. Taking into consideration the nature of controversy, the writ petition is disposed of directing the petitioner to make a detailed representation to the District Collector (2nd respondent), enclosing all supporting documents. If such a representation is made, the District Collector shall objectively consider the claim of petitioner and take appropriate decision as warranted by law within six weeks from the date of receipt of representation. Miscellaneous petitions, if any pending, are closed.

DATE: 7-9-2019
TVK

P NAVEEN RAO,J

HONOURABLE SRI JUSTICE P. NAVEEN RAO



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