

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.24838 OF 2019

ORDER

This writ petition is filed seeking the following relief:

“...to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not considering the case of the petitioner for appointment on compassionate grounds in any suitable post by orally stating that his father was casual employee is contrary to their Proc.No. P4/372(21/06-RM-N, dt 22.12.2016 and the Proc issued by the R3, Dt 17.1.2007 as high handed and arbitrary action, violation of Art 14 and 21 of the Constitution of India and as such liable to be set aside in the interest of justice with a consequential direction to the respondents to appoint the petitioner in any suitable post like Shramik or Conductor on compassionate grounds forthwith and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Heard Sri S.M.Subhan, learned counsel appearing for the petitioner, and Sri A.Ravi Babu, learned Standing Counsel appearing for the respondent-Corporation.

It is the case of the petitioner that his father was employed as Driver in the respondent-Corporation and while discharging his duties, his father expired on 22.2.2008. Thereafter, the petitioner submitted an application seeking appointment on compassionate grounds on 5.6.2017. But the respondents are not considering his application. However, the respondents orally stated that he is not entitled for

appointment on compassionate grounds since his father was not a regular Driver and he worked only on contract basis.

Learned counsel appearing for the petitioner contended that appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the petitioner on 5.6.2017.

Learned Standing Counsel appearing for the respondent-Corporation contended that since the representation submitted by the petitioner is pending with the respondents, the respondents would consider and pass appropriate orders in accordance with law.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition can be disposed of directing the respondents to consider the representation dated 5.6.2017 submitted by the petitioner and pass appropriate orders, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

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

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 12.11.2019
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