

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.692 of 2014

ORDER:

This writ petition is filed seeking the following relief :-

“..... to issue writ or direction preferably writ of mandamus declaring the action of the respondent No.1 in not considering the candidature of the petitioner for the post of turner (Artisan) even though he has succeeded in the written test and appeared for interview under dependant of deceased employees quota despite representation dt.4.1.2014 as illegal, arbitrary and violative of principles of natural justice and consequently direct respondent No.1 to consider the claim of the petitioner for the said post and grant all consequential benefits .....”.

Heard Mr.Kowturu Vinaya Kumar, learned counsel for the petitioner and Mr.P.Rajasekhar, the learned Standing Counsel for the respondents.

It has been contended by the petitioner that his father was employed with the respondents and while discharging duties, he expired on 19.07.1998. While so, during the year 2013, the respondents have issued Notification inviting applications from the dependants of the deceased employees for appointment to the post of Turner (Artisan). The petitioner has responded to the said Notification and he has appeared for the written test as well as interview and he has fared decently well. But, the case of the petitioner has not been considered. On enquiry, it has come to the notice of the petitioner that his elder brother by name Shanker was already employed with the respondents and working since 1992 and on that ground, the case of the petitioner was not being considered. In those set of circumstances, the petitioner has submitted a representation on 04.01.2014 to consider his case for appointment under dependant employment quota in tune with the

policy of the respondents. But, so far, the respondents have not passed any orders on the said representation nor considered the case of the petitioner 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 representation submitted by the petitioner on 04.01.2014 and pass appropriate orders in accordance with law.

The learned Standing Counsel appearing for the respondents has contended that since one of the family members of the deceased employee was already employed with the respondents, the petitioner is not entitled for compassionate appointment. But, however, the case of the petitioner would be considered by the respondents and appropriate orders would be passed on the representation submitted by the petitioner on 04.01.2014 in tune with the policy of the respondents.

This Court, having considered the rival submissions made by the respective parties, 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 04.01.2014 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. No order as to costs.

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

Pending miscellaneous petitions, if any, shall stand closed.

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ABHINAND KUMAR SHAVIL, J

