

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.35659 of 2017

ORDER

This Writ Petition is filed seeking the following relief:

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in issuing the impugned Memo No.13851/Comp.Appt./Ser. (NT)/A2/2013, dated 11.10.2017 rejecting the case of the petitioner for compassionate appointment in Agriculture University by not giving age relaxation as relaxed by the Government in respect of other similarly situated candidates as illegal unlawful contrary to law and consequently direct the 2nd respondent to reconsider the case of the petitioner for compassionate appointment by giving age relaxation as given to the other candidates by the Government and pass such other order...”

Heard Sri M.Damodar Reddy, learned counsel appearing for the petitioner, the learned Government Pleader for Cooperation appearing for the 1st respondent and Sri B.Thimmothi, learned Standing Counsel appearing for the 2nd respondent.

It is the case of the petitioner that his father was employed with the 2nd respondent-University. While discharging his duties, his father expired on 11.12.2012. At the time of death of his father, the petitioner was aged about 15 years and he could not apply for appointment on

compassionate grounds in terms of G.O.Ms.No.612, dated 30-10-1991.

Learned counsel appearing for the petitioner submits that on attaining the age of majority, the petitioner has submitted his application for appointment on compassionate grounds in terms of G.O.Ms.No.612, dated 30-10-1991, but the respondents without assigning any reasons, rejected his case. In support of his contention, he placed reliance on G.O.Ms.No.1452, dated 8.9.2011 and G.O.Rt.No.1607, dated 27.10.2018, whereunder the respondents have given the age relaxation and considered the cases of the candidates for appointment on compassionate grounds.

Learned Standing Counsel appearing for the 2nd respondent submits that since the petitioner was minor at the time of death of his father, his case was not considered; that the petitioner does not come within zone of consideration as per the said GOs issued by the State Government; that his case was rightly rejected; that there are no merits in the writ petition and the same is liable to be dismissed.

Learned Government Pleader appearing for the 1st respondent contends that if the 2nd respondent-University forwards the proposals of the petitioner for appointment on

compassionate grounds in terms of G.O.Ms.No.612, dated 30-10-1991, the 1st respondent would consider the same and pass appropriate orders.

Having considered the rival submissions made by the learned counsel on either side, this Writ Petition is disposed of directing the petitioner to submit a representation afresh to the 2nd respondent within a period of one week from the date of receipt of a copy of this order. On receipt of such representation, the 2nd respondent shall forward the same to the 1st respondent within two weeks thereafter. The 1st respondent shall consider the entire case of the petitioner and pass appropriate orders, in accordance with law. No costs.

Miscellaneous petitions, pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

3rd July, 2019
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