

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.17344 of 2020

ORDER:

This writ petition is being disposed of at the admission stage with the consent of both parties.

This writ petition is filed seeking the following relief:

“...to issue an appropriate Writ order or direction more particularly in the nature of Writ of Mandamus declaring the inaction of the Respondents in disposing off the petitioners mother Representation dated 31/5/2012 and Petitioners Representation dated 9/9/2020 for Compassionate appointment as N M R Gang Mazdoor or any suitable post in terms of G O Ms No 118 dated 18/8/1999 as highly illegal arbitrary and contrary to law and clear violation of Principles of Natural Justice and Clear violation of Articles 14 and 21 of the Constitution of India and consequently to direct the Respondents to consider the Petitioners mother representation dated 31/5/2012 and petitioners representation dated 9/9/2020 and in terms of G O Ms No 118 dated 18/8/1999 to consider the petitioner s case under compassionate appointment as N M R Gang Mazdoor or any suitable post....”.

Heard Si B.P.Raju, learned counsel appearing for the petitioner and the learned Government Pleader for Services-II appearing for the respondents.

It has been contended by the petitioner that his father was employed as N.M.R. Mazdoor with the respondents since 01.01.1991 and was fully eligible for regularization of his services, but due to administrative lapses, his father's services could not be regularized, His father expired on 11.05.2012 while discharging his duties with the respondents. Thereafter, his mother submitted a representation to the respondents on 31.05.2012 requesting to provide compassionate appointment to the petitioner in terms of G.O.Ms.No.118 dated 18.08.1999. Thereafter, the petitioner has submitted a representation to the respondents on 09.09.2020

requesting to consider his case for compassionate appointment in terms of G.O.Ms.No.118 dated 18.08.1999. But, so far, the respondents have not passed any orders on the said representations.

Therefore, the learned counsel 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 09.09.2020 and pass appropriate orders in accordance with law.

Learned Government Pleader appearing for the respondents has contended that since the petitioner's representation is pending with the respondents, the respondents would consider the same and pass appropriate orders in accordance with law within a reasonable period of time.

This Court, having considered the rival submissions made by the learned counsel for the parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representations dated 31.05.2012 and 09.09.2020 and pass appropriate orders in accordance with law within a reasonable period of time, preferably within a period of three months from the date of receipt of a copy of this order.

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

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

05.10.2020
Prv

