

**HIGH COURT FOR THE STATE OF TELANGANA
(Special Original Jurisdiction)**

MONDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO: 8816 OF 2007

Between:

Keesari Lakshminarayana, S/o.Late K.Rayamallu Unemployee R/o.H.No.9-7-284,
Vittal Nagar, Godavarikhani, Karimnagar District

...PETITIONER

AND

1. The Singareni Collieries Company Ltd., rep. by its Director (PA&W),Kothagudem,
Khammam District
2. The Chief General Manager, RG-II, Area, Singareni Collieries Company Ltd.,
Godavarikhani, Karimnagar District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the
circumstances stated in the affidavit filed therewith, the High Court may be pleased to
issue a writ or order or direction especially one in the nature of writ of mandamus:

- i. declare the action of the respondents in not providing employment on
compassionate grounds to the petitioner as illegal and arbitrary
- ii. consequently direct the respondents to provide any suitable employment to
the petitioner on compassionate grounds.

Counsel for the Petitioner: SRI. K. VASUDEVA REDDY

**Counsel for the Respondents: SRI NANDIGAM KRISHNA RAO
SC FOR SINGARENI COLLIERIES**

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.8816 OF 2007

ORDER:

Heard learned counsel for the petitioner and learned standing counsel for the Singareni Collieries Company Limited for the respondents.

2. Father of the petitioner died on 27.01.1974 while working in the respondent - Company. Petitioner was born on 05.08.1974. He made application to provide employment on compassionate grounds on 14.11.1996. Alleging inaction on the said application and that employment is not provided to the petitioner, this Writ Petition was instituted in April, 2007.

3. In the counter affidavit filed by the respondents, they oppose the claim of the petitioner on the ground that at the time of death of father of the petitioner, petitioner was not even born. According to the policy of the respondent - Company, the person seeking employment on compassionate grounds must have 18 years. The claim for employment as a dependent of the deceased employee was made more than 22 years after death of the employee and Writ Petition was filed in the year 2007.

4. Compassionate appointment is intended to elevate the family from the financial difficulties on account of sudden death of the earning member of the family. After 22 years, it cannot be said that the family is still dependent on the deceased. Further, the petitioner took another nine years to institute the writ Petition.

In view of the same, the claim in the Writ Petition is not maintainable and the Writ Petition is liable to be dismissed.

5. The Writ Petition is accordingly dismissed. There shall be no order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

SD/- M. MANJULA
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. One CC to Sri K. Vasudeva Reddy Advocate [OPUC]
2. One CC to Sri Nandigam Krishna Rao, SC for Singareni Collieries [OPUC]
3. Two CD Copies

CHR



HIGH COURT

DATED:24/02/2020



ORDER

W.P.No.8816 of 2007

DISMISSING THE WRIT PETITION
WITHOUT COSTS

4
B/S/20
Hv4