

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

**FRIDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 34994 OF 2023

Between:

Md. Nayeem, S/o. Abdul Latheef (Late) Age 33 years, Occ ; un-employee,
Jerripothulagudem,(V) Chilkur (M), Suryapet District.

.....PETITIONER

AND

1. The District Collector, Suryapet, Suryapet District.
2. The Dist Tribal Development Officer, Nalgonda, Nalgonda District .
3. The Dist Tribal Development Officer, Suryapet, Suryapet District .
4. The State of Telangana, rep. by its Principal Secretary, Tribal Welfare Department Secretariat, Hyderabad.

.....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, order or direction more particularly one in the nature of Writ of MANDAMUS.- A) To declare the entire action of the respondents, particularly the action of the respondents 1, 2 and 3 in not considering the genuine claim of the petitioner for appointment in any suitable post in the place of his deceased father, who expired on 14-5-2019, while working as daily wage employee, at Govt Tribal Welfare Boys Hostel, Ananthagiri, ie., under the control of 3rd respondent, inspite of recommendations made by the 3rd respondent vide his letter No. TD1/64/2017 dated. 14-8-2019 to the 2nd respondent, despite of repeated representations is as highly illegal, arbitrary, unjust, improper, contrary to scheme vide G.O.Ms.No. 118 F and P (FW.PC III) Dept., dated 18-08-1999. A) And consequently to direct the respondents to forthwith consider the claim of

the petitioner for appointment under the scheme of compassionate grounds in the place of diseased father in a suitable post in terms of G.O.Ms.No.118 F and P (FW.PC III) Dept., dated 18-08-1999, by duly finalizing the proposals made by the 3rd respondent vide his Lr.No. TD1/64/2017 dated.14-8-2019.

I.A.NO:1 OF 2023

Petition Under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to forthwith consider the claim of the petitioner for appointment under the scheme of compassionate grounds in the place of diseased father in a suitable post in terms of G.O.Ms.No.118 F and P (FW.PC III) Dept., dated 18.08.1999, by duly finalizing the proposals made by the 3rd respondent vide his Lr. No. TD1/64/2017 dated.14-8-2019.

Counsel for the Petitioner : SRI SANTHAPUR SATYANARAYANA RAO

Counsel for the Respondents : GP FOR SERVICES - II

The Court made the following ORDER

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION No.34994 OF 2023

ORDER:

This Writ Petition is filed seeking to declare the action of the respondents in not considering the claim of the petitioner for appointment in any suitable post, on compassionate grounds, in terms of G.O.Ms.No.118, Finance and Planning (FW.PC.III) Department, dated 18.08.1999, as illegal, arbitrary and unjust, and consequently, to direct the respondents to forthwith consider his claim for appointment on compassionate grounds.

2. This writ petition is being disposed of with the consent of both the parties.

3. Heard Sri S. Satyanarayana Rao, learned counsel appearing for the petitioner and learned Government Pleader for Services-V, appearing for respondent Nos.1 to 4.

4. Learned counsel for the petitioner submitted that the petitioner's father, who worked as a Daily-Wage worker in the Government ST Boys Hostel, Ananthagiri, has expired on 14.09.2019. Consequent upon his demise, the petitioner, being the legal heir and an unemployed person, submitted his representation to respondent No.3 on 22.07.2019, seeking compassionate appointment. It is further submitted that the request of the petitioner was recommended to respondent No.2 by respondent No.3 *vide* letter No.TD1/64/2017, dated 14.08.2019. However, no further action has been taken thereon so far. Therefore, learned counsel for the petitioner prayed this Court to pass necessary orders in the present writ petition.

5. Per contra, learned Government Pleader for Services-V has placed on record a copy of the letter addressed by the District Collector, Nalgonda District to the Commissioner of Tribal Welfare, Hyderabad, *vide* Rc.No.TW1/593/2019, dated 20.03.2021, and submitted that on verification of records, it is found that the deceased workers who were in service of the respondent-Educational Institutions are entitled for regularization as per the G.O.Ms.No.212, Finance and Planning, (FW.PC.III) Department, dated 22.04.1994, and further submitted that Commissioner of Tribal Welfare, Hyderabad, has to issue necessary orders for compassionate appointments to the legal heirs of the deceased workers.

6. In view of the rival submissions made by the respective parties, the Writ Petition is disposed of with a direction to the respondents to consider the representation of the petitioner, dated 22.07.2019, duly taking into consideration the letter Rc.No.TW1/593/2019, dated 20.03.2021, addressed by the District Collector, Nalgonda District, to the Commissioner of Tribal Welfare, Hyderabad, and pass appropriate orders thereon in terms of G.O.Ms.No.118, dated 18.08.1999, within a period of six (06) weeks from the date of receipt of a copy of this order, and communicate a copy thereof to the petitioner.

Miscellaneous applications, if any, pending in this writ petition, shall stand closed. No costs.

//TRUE COPY//

SD/- A.PRATHIMA
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The District Collector, Suryapet, Suryapet District.
2. The Dist Tribal Development Officer, Nalgonda, Nalgonda District .
3. The Dist Tribal Development Officer, Suryapet, Suryapet District .
4. The Principal Secretary, Tribal Welfare Department Secretariat, State of Telangana at Hyderabad.
5. Two CCs to GP for Services -II, High Court for the State of Telangana at Hyderabad. [OUT]
6. One CC to Sri Santhapur Satyanarayana Rao, Advocate [OPUC]
7. Two CD Copies

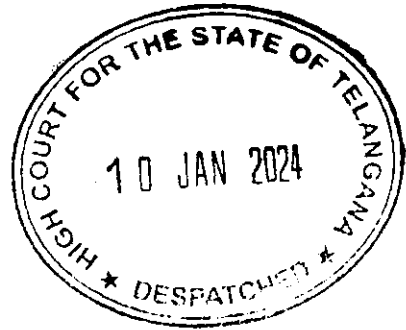
SA
GJ

HIGH COURT

DATED:29/12/2023

ORDER

WP.No.34994 of 2023



**DISPOSING OF THE W.P
WITHOUT COSTS**

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9/1/24.