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

THURSDAY, THE FOURTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HON'BLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION NO: 137 OF 2024

Between:

M. Mahesh, S/o. Late Chinna Kistaiah, Aged about 40 Years, R/o. Machupally Village, Kodair Mandal, Nagarkurnool District.

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad-500 022.
2. The Chief Commissioner of Land Administration, State of Telangana, Nampally Railway Station Road, Hyderabad.
3. The District Collector, Nagarkurnool District.
4. The Tahsildar, Kodair Mandal, Nagarkurnool 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 an appropriate Writ, Order of direction, preferably one in the nature of Writ of Mandamus and to declare the in action of the respondents are not passing final orders on the proposals vide proceedings No. E/135/2020, dt. 26-03-2020 of the 4th respondent pending before the 3rd respondent and also further representations dt. 26-09-2023 and 29-09-2023 which are pending before the Respondent No.1 to 3 on compassionate grounds to appoint the petitioner as Village Revenue Assistant/Office Subordinate in any other department, is as highly illegal arbitrary, unreasonable, and also in violation of principles of natural justice and declare the same as bad-in-law and consequently direct the respondents to consider the case of the petitioner to pass final orders on the proposals vide proceedings No. E/135/2020, dt. 26-03-2020 of the 4th respondent forwarded which are pending before the 3rd respondent, and also further representations dt. 26-09-2023 and 29-09-2023 which are pending before the Respondent No.1 to 3 on compassionate grounds as Village Revenue Assistant / in any other department in suitable post

IA NO: 1 OF 2024

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 consider the case of the petitioner to pass final orders on the proposals vide proceedings No. E/135/2020, dt. 26-03-2020 of the 4th respondent forwarded which are pending before the 3rd respondent, and also further representations dt. 26-09-2023 and 29-09-2023 which are pending before the Respondent No.1 to 3 on compassionate grounds as Village Revenue Assistant / in any other department in suitable post, pending disposal of the above writ petition

Counsel for the Petitioner: SRI C. RAJA SEKHAR REDDY

Counsel for Respondents: GP FOR SERVICES II

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE PULLA KARTHIK

WRIT PETITION No.137 OF 2024

ORDER:

This Writ Petition under Article 226 of the Constitution of India is filed seeking the following relief:

> "...to issue an appropriate Writ, Order of direction, preferably one in the nature of Writ of Mandamus and to declare the in action of the respondents are not passing final orders on the proposals vide proceedings No.E/135/2020, dt. 26-03-2020 of the 4th respondent pending before the 3rd respondent and also further representations dt. 26-09-2023 and 29-09-2023 which are pending before the Respondent No.1 to 3 on compassionate grounds to appoint the petitioner as Village Revenue Assistant/Office Subordinate in any other department, is as highly illegal arbitrary, unreasonable, and also in violation of principles of natural justice and declare the same as bad-in-law and consequently direct the respondents to consider the case of the petitioner to pass final orders on the proposals vide proceedings No. E/135/2020, dt. 26-03-2020 of the 4th respondent forwarded which are pending before the 3rd respondent, and also further representations dt. 26-09-2023 and 29-09-2023 which are pending before the Respondent No.1 to 3 on compassionate grounds as Village Revenue Assistant / in any other department in suitable post and to pass..."

2. Heard Sri C. Raja Shekar Reddy, learned counsel appearing for the petitioner and learned Government Pleader for Services-II, appearing for respondent Nos.1 to 4.

3. Learned counsel for the petitioner submitted that the petitioner's father, who was working as Village Revenue Assistant in Machupally Village, Kodair Mandal, Nagarkurnool District, died on 15.12.2019, while

he was in service. Immediately after his demise, the petitioner has submitted an application before the competent authority on 19.03.2022, seeking appointment on compassionate grounds. Thereafter, in pursuance of the same, the 4th respondent has forwarded his report to the 3rd respondent along with the proposals, including all the details and documents, *vide* proceedings No.E/135/2020, dated 26.03.2020, seeking permission to appoint the petitioner as Village Revenue Assistant at Machupally Village, Kodair Mandal, Nagarkurnool District. It is further submitted that no further action was taken thereon. Therefore, the petitioner has submitted his representations to the 3rd and 1st respondents on 27.09.2023 and 29.09.2023 respectively, seeking compassionate appointment as Village Revenue Assistant. However, the said representations are still pending before the respondents. Therefore, learned counsel for the petitioner prayed this Court to pass necessary orders in the present writ petition.

4. Learned Government Pleader for Services-II submitted that the respondents will consider the representations of the petitioner and dispose of the same in accordance with law.

5. Having regard to the rival submissions made by the respective parties, the Writ Petition is disposed of, without expressing an opinion on merits, with a direction to the 3rd respondent to consider the representation of the petitioner, dated 27.09.2023, and pass appropriate orders thereon in accordance with law, duly taking into consideration the

proposals forwarded by the 4th respondent *vide* proceedings No.E/135/2020, dated 26.03.2020, as expeditiously as possible, preferably 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.

SD/- MOHD.SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The District Collector, Nagarkurnool District.
2. One CC to Sri C Raja Sekhar Reddy Advocate [OPUC]
3. Two CCs to GP For Services, High Court for the State of Telangana. [OUT]
4. Two CD Copies

MBC
LS

HIGH COURT

DATED: 04/01/2024



ORDER

WP.No.137 of 2024

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

MA
9/1/24