

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P. No.

OF 2025

CHRONOLOGICAL / RUNNING INDEX

Sl. No.	Exhibit	Description of Document	Date of Document	Date of filing of Document	Page No.
1.		Service Certificate	20.01.2025	20.01.2025	1
2.		Court fee	-do-	-do-	2
3.		Writ Petition	-do-	-do-	3-4
4.		Annexure	-do-	-do-	5-9
5.		Affidavit	-do-	-do-	10-14
6.		Verification	-do-	-do-	14
		<u>Material Papers</u>			
7.	P1	Rc. No. A1/6281/2022	12.01.2024	-do-	15
8.	P2	Copy of adoption deed	19.06.2009	-do-	16-19
9.	P3	Copy of representations	29.05.2023 01.06.2023	-do-	20-24
10.	P4	Family Member Certificate	27.02.2023	-do-	25
11.	P5	No Earning Member Certificate	27.02.2023	-do-	26
12.	P6	Copy of Lok Adalat award	13.05.2023	-do-	27-31
13.	P7	Memo No. 60681/Ser.A/2003-1	12.08.2003	-do-	32-41
14.	P8	Photos	-	-do-	42
15.		Vakalath	20.01.2025	20.01.2025	43
16.		Respondents Addresses	-do-	-do-	44

DATE: 20.01.2025
Amaravati

Counsel for the Petitioner

2

**MEMORANDUM OF WRIT PETITION
(SPECIAL ORIGINAL JURISDICTION)
(UNDER ART. 226 OF THE CONSTITUTION OF INDIA)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

W.P. NO.

OF 2024

Between:

Kothapalli Rakesh,
adopted son of Kothapalli Pushpavathi,
biological son of K. Damodar Rao,
aged about 25 years, R/o # 3-43,
Kanumolu village & mandalam,
Krishna district.

...Petitioner

AND

1) The State of Andhra Pradesh,
Rep. by it's Principal Secretary (Endowments),
Secretariat buildings, Velagapudi, Amaravathi.

2) The Commissioner,
Endowments department,
Gollapudi, Vijayawada.

3) Sri Durgamalleswara swamy varla devasthanam,
Indrakeeladri, Vijayawada.
Rep. by it's Executive Officer.

...Respondents

The address for service on the above named Petitioners is that of their
counsel **J.V.Phaniduth (22024)**, Advocate, Villa No.24, Road No.6, Sector-1,
Lotus Land Mark, Ayodya Nagar, Vijayawada. Ph.9393380220.

For the reasons stated in the accompanying affidavit, it is hereby
prayed that this Hon'ble court may be pleased to issue a WRIT OF MANDAMUS
or any other appropriate writ or order or other direction to DECLARE the
proceedings dated 12.01.2024 in Rc. No. A1/6281/2022 issued by the 3rd
respondent rejecting my request for compassionate appointment on the death

4

of my adopted mother, late Sri Kothapalli Pushpavathi without affording sufficient hearing and fair opportunity, as illegal, arbitrary, contrary to the GO. Ms. No. 687 dated 03.10.1977 by the General Administration (Ser.A)-rules governing the scheme of compassionate appointment, violation of principles of natural justice as also contrary to Articles 14, 15, 19(1)(g) & 21 of Constitution of India and consequently command the Respondent officials to provide me compassionate appointment in the 3rd respondent devasthanam on the account of the demise of my adopted mother, late Smt. Kothapalli Pushpavathi, in the interest of the justice and pass such other order or orders that this Hon'ble court may deem fit and proper in the circumstances of the case.

Amaravati
DATE: 28.12.2024

Counsel for the Petitioners

KRISHNA DISTRICT

**IN THE HIGH COURT OF ANDHRA
PRADESH AT AMARAVATI**

W.P. NO.

OF 2025

WRIT PETITION

Filed By:

M/s J.V.Phaniduth (22024)
Advocate

Counsel for Petitioners
Ph: 9393380220.

5

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P. No.

of 2025

Between:

1) Kothapalli Rakesh

..Petitioners

AND

1) The State of Andhra Pradesh & Others

.Respondents

LIST OF EVENTS

ANNEXURE – I

S.No	Date	Description of the Events	Page Nos in Affidavit	Para No. in Affidavit
1	12.01.2024	writ petition challenging the proceedings dated 12.01.2024 in Rc. No. A1/6281/2022 issued by the 3 rd respondent rejecting my request for compassionate appointment on the death of my adopted mother, late Sri Kothapalli Pushpavathi without affording sufficient hearing and fair opportunity, as illegal, arbitrary, contrary to the GO. Ms. No. 687 dated 03.10.1977 by the General Administration (Ser.A)-rules governing the scheme of compassionate appointment, violation of principles of natural justice as also contrary to Articles 14, 15, 19(1)(g) & 21 of Constitution of India.	11	2

6

2	19.06.2009	Petitioner submit that born to Kothapalli Damodhar Rao and Gajalakshmi. My biological father, Sri Damodhar Rao is brother of late Sri Kothapalli Pushpavathi-who was my maternal grandmother and also adopted mother, worked as sweeper in the 3 rd respondent devasthanam. My biological mother, Sri Gajalakshmi is the only child of late Sri Kothapalli Pushpavathi and late Sri Kothapalli Pushpavathi don't have any male child. Since, she has no male children, on 19.06.2009, she adopted me in Sri Ramalingeswara Swamy temple, Balive village of Musunuru mandalam, Krishna district, as per the Hindu customs and rites.	11	3
3	18.11.2022 27.02.2023	Petitioner submit that adopted mother-Smt. Pushpavathi joined the 3 rd respondent temple in the year 1995 as NMR. Subsequently, in the year 2001, her services were regularized in the temple in the post of sweeper. During her lifetime, she served in the temple to the satisfaction of the authorities and died in harness on 18.11.2022. Subsequently, the competent authority-	11	4

7

		Tahsildar, Bapulapadu mandalam on thorough enquiry and having been received the ground report, has issued family member certificate dated 27.02.2023 wherein I am shown as the adopted son of the late Smt. Pushpavathi.		
4	29.05.2023 12.01.2024	Petitioner submit that, thereafter, on 29.05.2023, I submitted an application to the 3 rd respondent to provide me appointment under compassionate grounds on the death of my adopted mother, late Smt. Pushpavathi who died in harness while serving as sweeper in the 3 rd respondent temple. When there is no action taken by the 3 rd respondent, challenging the same, I filed writ petition, WP. No. 17894 of 2023 before this Hon'ble Court. Pending the above writ petition, the 3 rd respondent issued the impugned proceedings dated 12.01.2024 in Rc. No. A1/6281/2022 issued by the 3 rd respondent rejecting my request for compassionate appointment on the ground that, I have not submitted a registered adoption deed.	12	5
5	19.06.2009	Petitioner submit that it is settled principle of law that, registration of the adoption	12	6

8

		<p>deed is not compulsory. The adoption deed dated 19.06.2009 consists, the undisputed signature of my adopted mother; the entire procedure under which my adoption was taken place; presence of the elders, well-wishers and other relatives; performance of the customs, rites and utterance of related veda mantras; presence of my biological parents and other witnesses; willingness of my biological parents; etc. which conclusively proved my adoption. While it being so, getting the adoption deed registered is not mandated by law. There is negative evidence against the adoption. I myself conducted the last rites to my deceased adopted mother and I have also furnished the photos of the same. In addition to all these, the competent authority-Tahsildar of Bapulapadu mandalam has declared that, I am the adopted son of the deceased Smt. Pushpavathi after the ground level enquiry.</p>	12	6
	NIL	<p>Petitioner submit that it is settled principle of law that, the <i>audi alterim partem</i> is time tested natural principle of law and any order passed</p>	13	7

9

		violating the same is null and void. From the age of 11 years, I am completely dependent on my adopted mother. By virtue of the adoption done by veda mantras, I am not the son of my biological parents. Now, having been educated, I am suffering from unemployment and I have no other means to survive on the sudden demise of my adopted mother.	13	7
--	--	---	----	---

ANNEXURE-II

Under Article 226 of Constitution of India.

Amaravati
DATE: 20.01.2025

Counsel for Petitioners

10

IN THE HIGH COURT OF ANDHRA PRADESH AT AMRAVATHI

WP. No.

OF 2025

Between:

Kothapalli Rakesh,
adopted son of Kothapalli Pushpavathi,
biological son of K. Damodar Rao,
aged about 25 years, R/o # 3-43,
Kanumolu village & mandalam,
Krishna district.

...Petitioner

AND

1) The State of Andhra Pradesh,
Rep. by it's Principal Secretary (Endowments),
Secretariat buildings, Velagapudi, Amaravathi.

2) The Commissioner,
Endowments department,
Gollapudi, Vijayawada.

3) Sri Durgamalleswara swamy varla devasthanam,
Indrakeeladri, Vijayawada.
Rep. by it's Executive Officer.

...Respondents

AFFIDAVIT OF KOTHAPALLI RAJESH

I, Kothapalli Rakesh, adopted son of Kothapalli Pushpavathi, biological son of K. Damodar Rao, aged about 25 years, R/o # 3-43, Kanumolu village & mandalam, Krishna district, having now temporarily come down to Vijayawada, do hereby solemnly affirm and state on oath as follows:

1) I am the petitioner herein and I am well acquainted with the facts of the case.

2) I submit that, I am filing the above writ petition challenging the proceedings dated 12.01.2024 in Rc. No. A1/6281/2022 issued by the 3rd respondent rejecting my request for compassionate appointment on the death of my adopted mother, late Sri Kothapalli Pushpavathi without affording

11

sufficient hearing and fair opportunity, as illegal, arbitrary, contrary to the GO. Ms. No. 687 dated 03.10.1977 by the General Administration (Ser.A)-rules governing the scheme of compassionate appointment, violation of principles of natural justice as also contrary to Articles 14, 15, 19(1)(g) & 21 of Constitution of India.

3) I submit that, I am born to Kothapalli Damodhar Rao and Gajalakshmi. My biological father, Sri Damodhar Rao is brother of late Sri Kothapalli Pushpavathi-who was my maternal grandmother and also adopted mother, worked as sweeper in the 3rd respondent devasthanam. My biological mother, Sri Gajalakshmi is the only child of late Sri Kothapalli Pushpavathi and late Sri Kothapalli Pushpavathi don't have any male child. Since, she has no male children, on 19.06.2009, she adopted me in Sri Ramalingeswara Swamy temple, Balive village of Musunuru mandalam, Krishna district, as per the Hindu customs and rites. The adoption deed is also reduced into writing in an unregistered adoption deed dated 19.06.2009.

4) I submit that, my adopted mother-Smt. Pushpavathi joined the 3rd respondent temple in the year 1995 as NMR. Subsequently, in the year 2001, her services were regularized in the temple in the post of sweeper. During her lifetime, she served in the temple to the satisfaction of the authorities and died in harness on 18.11.2022. Subsequently, the competent authority-Tahsildar, Bapulapadu mandalam on thorough enquiry and having been received the ground report, has issued family member certificate dated 27.02.2023 wherein I am shown as the adopted son of the late Smt. Pushpavathi. The said authority has also issued a No earning member certificate dated 27.02.2023. Subsequently, I filed a suit, OS. No. 151/2023 on the file of I Additional Junior Civil Judge, Nuzvid against my biological mother for declaration that I am adopted son of late Smt. Pushpavathi. The said suit was compromised through the Lokadalat by an award dated on 13.05.2023.

5) I submit that, thereafter, on 29.05.2023, I submitted an application to the 3rd respondent to provide me appointment under compassionate grounds on the death of my adopted mother, late Smt. Pushpavathi who died in harness while serving as sweeper in the 3rd respondent temple. When there is no action taken by the 3rd respondent, challenging the same, I filed writ petition, WP. No. 17894 of 2023 before this Hon'ble Court. Pending the above writ petition, the 3rd respondent issued the impugned proceedings dated 12.01.2024 in Rc. No. A1/6281/2022 issued by the 3rd respondent rejecting my request for compassionate appointment on the ground that, I have not submitted a registered adoption deed. However, in view of the rejection order, I withdrawn the said writ petition on 21.01.2025 and filing the present writ petition.

6) I submit that, it is settled principle of law that, registration of the adoption deed is not compulsory. The adoption deed dated 19.06.2009 consists, the undisputed signature of my adopted mother; the entire procedure under which my adoption was taken place; presence of the elders, well-wishers and other relatives; performance of the customs, rites and utterance of related veda mantras; presence of my biological parents and other witnesses; willingness of my biological parents; etc. which conclusively proved my adoption. While it being so, getting the adoption deed registered is not mandated by law. There is negative evidence against the adoption. I myself conducted the last rites to my deceased adopted mother and I have also furnished the photos of the same. In addition to all these, the competent authority-Tahsildar of Bapulapadu mandalam has declared that, I am the adopted son of the deceased Smt. Pushpavathi after the ground level enquiry. Moreover, the adoption deed is executed more than 5 years prior to her death, as required by the governing rules for compassionate appointment. However, the 3rd respondent without considering all the material that is placed on record, simply rejected my application for compassionate appointment without giving me sufficient hearing and fair opportunity.

7) I submit that, it is settled principle of law that, the *audi alterim partem* is time tested natural principle of law and any order passed violating the same is null and void. From the age of 11 years, I am completely dependent on my adopted mother. By virtue of the adoption done by veda mantras, I am not the son of my biological parents. Now, having been educated, I am suffering from unemployment and I have no other means to survive on the sudden demise of my adopted mother. The difference in the temples' name in my 2 representations is only a typographical mistake. While it being so, the action of the 3rd respondent in rejecting my application without considering all the factors is illegal and arbitrary. If it is allowed continue, I would suffer irreparable loss and hardships. Inasmuch as the earlier writ petition was pending, I could not challenge the impugned proceed soon after issuance. On the advice of my present counsel, I am now challenging the impugned proceedings.

8) Under these circumstances, I have no other efficacious alternative remedy except to approach this Hon'ble court under Article 226 of Constitution of India.

9) I submit that, I have not filed any writ, suit or any other proceedings in respect of the relief claimed in this writ petition and no such writ, suit, or other proceedings is pending in any other court of law.

In these circumstances, it is therefore prayed that this Hon'ble court may be pleased to issue a WRIT OF MANDAMUS or any other appropriate writ or order or other direction to DECLARE the proceedings dated 12.01.2024 in Rc. No. A1/6281/2022 issued by the 3rd respondent rejecting my request for compassionate appointment on the death of my adopted mother, late Sri Kothapalli Pushpavathi without affording sufficient hearing and fair opportunity, as illegal, arbitrary, contrary to the GO. Ms. No. 687 dated 03.10.1977 by the General Administration (Ser.A)-rules governing the scheme of compassionate appointment, violation of principles of natural justice as also contrary to Articles 14, 15, 19(1)(g) & 21 of Constitution of India and consequently command the

14

Respondent officials to provide me compassionate appointment in the 3rd respondent devasthanam on the account of the demise of my adopted mother, late Smt. Kothapalli Pushpavathi, in the interest of the justice and pass such other order or orders that this Hon'ble court may deem fit and proper in the circumstances of the case.

Subject to output of the above writ petition, it is also prayed that this Hon'ble Court may be pleased to DIRECT the 3rd respondents official to provide me compassionate appointment in the 3rd respondent devasthanam on the account of the demise of my adopted mother, late Smt. Kothapalli Pushpavathi, in the interest of justice and pass such other order or orders that this Hon'ble court may deem fit and proper in the circumstances of the case.

Solemnly affirmed and signed before me
on 23.01.2025 at Vijayawada.

Deponent

BEFORE ME

ADVOCATE :: VIJAYAWADA

VERIFICATION STATEMENT

I, Kothapalli Rakesh, adopted son of Kothapalli Pushpavathi, being the petitioner/ person acquainted with the facts do hereby verify and state that the contents of those paras 1 to 7 of the Affidavit are true and correct to the best of my knowledge and belief and contents of those paras 8 & 9 are based on legal advice. Hence, verified at Vijayawada on this the day of 23.01.2025.

Advocate

Deponent

(15) R₁

Office Of The Executive Officer,
S.D.M.S.Devasthanam,
Indrakeeladri, Vijayawada.

Rc.No:A1/6281/2022, Dated:12-01-2024.

Sub: Endowments Department – Sri Durga Malleswara Swamy Varla Devasthanam, Indrakeeladri, Vijayawada – Establishment Section – Representation of Sri K.Rakesh for compassionate appointment – Rejected –Reg.

Ref: 1. Letter dt:29.05.2023 from Sri K.Rakesh.
2. This office letter in Rc.No.A1/6281/2022, Dt:02.07.2023.
3. Letter dt:01.06.2023 from Sri K.Rakesh received on dt.10.07.2023.

Considering your representation in the reference 1st cited, it was informed in the reference 2nd cited, that your representation to provide job opportunity under compassionate grounds claimig as S/o K.Pushpavathi, Deceased Sweeper was returned as you have not produced Registered Adoption Certificate and concerned documents which declares you as her Son.

In the reference 3rd cited, without producing the documents another representation was received mentioning that your adoption was held on 19.06.2009 in Sri Ramalingeswara swamy temple, Balive Village, Musunooru mandal, Krishna District as per Hindu Customs and rites but in previous representation it was mentioned incorrectly and hence requested to consider for compassionate appointment.

Hence, it is hereby informed that without producing proper documents your representation will not be considered and no future correspondance will be entertained without submitting proper documents. Therefore, the representations cited in reference 1 & 3 are hereby rejected.

Sd/-K.S.Rama Rao
Deputy Collector &
Executive Officer

//t.c.f.b.o//

P. Chinn
Asst. Executive Officer

To

1. Sri K.Rakesh, 3-43, Kanumolu, Krishna District, Andhra Pradesh-521106.
2. Extra.

16

P2

దత్తత స్వీకార పత్రము

ఆన 2009వ సంవత్సరము జూన్ నెల 19వ తేదీన.

వ్రాయించుకున్నవారు: (దత్తత తీసుకున్నవారు): (1పార్టీ వారు)

కృష్ణా జిల్లా, విజయవాడ, మల్లికార్జునపేట, డోర్ నెంబర్, 10-4-72,
కాపురస్తురాలు కొత్తపల్లి పుష్పావతి, D/o. రంగనాయకులు, వయస్సు 41
సం.లు, వారికి.

వ్రాయించి ఇచ్చినవారు : (దత్తత ఇచ్చినవారు): (2వ పార్టీ వారు)



కృష్ణా జిల్లా, బాపులపాడు మండలం, కానుమోలు గ్రామం, డోర్ నెంబర్:
3-43, గ్రామ కాపురస్తులు కొత్తపల్లి దామోదర రావు, S/o. రంగనాయకులు,
గారు వ్రాయించి ఇచ్చిన దత్త స్వీకార పత్రము.

స్వభావము: మనలో 1వ పార్టీ వారు 2వ పార్టీ వారికి నోదరి అయి ఉన్నారు.
కొత్తపల్లి పుష్పావతి అనే నేను విజయవాడ దుర్గ గుడిలో స్వీపర్ గా ఉద్యోగము
చేయుచున్నాను. నా భర్త పేరు జాజిమొగ్గల సత్యనారాయణ నాకు 1980వ
సంవత్సరములో వివాహము జరిగినది. నాకు ఒక్క ఆడ సంతానము కలదు.
ఆమె పేరు గజలక్ష్మి. నాకు ఆడపిల్ల పుట్టింది అనే నెపముతో నా భర్త నన్ను
వదిలేసి వెళ్ళిపోయినాడు. అప్పటి నుండి నేను కష్టపడి నా కుమార్తెను పెంచి
పెద్దచేసి 2వ పార్టీ వారైనా నా నోదరుడు అయిన కొత్తపల్లి దామోదర రావుకు
ఇచ్చి వివాహం చేశాను, వారికి ఒక ఆడపిల్ల, ఒక మగపిల్లవాడు అనే ఇద్దరు
సంతానము కలదు. వాళ్ళ పేర్లు కొత్తపల్లి సుప్రియా, వయస్సు 13సం.లు
మరియు కొత్తపల్లి రాకేష్, వయస్సు 11 సం.లు. నేను ఉద్యోగ రీత్యా
విజయవాడలో ఒంటరిగా నివసిస్తున్నాను.

నా దాంపత్య జీవితంలో మగ సంతానము లేనందున నా ఆరోగ్య దృష్ట్యా
నా బాగోగులు నిమిత్తము ఒక నిర్ణయమునకు వచ్చి ఒక మగపిల్లవాడిని దత్త

1వ పార్టీ వారు

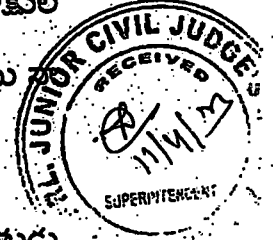
K. Purna Prasad

2వ పార్టీ వారు
K. Chaitanya

2. K. Gopalaiah

17

పుత్తునిగా స్వీకరింపదలచి దత్తత పొందేందుకు 2వ పార్టీ వారైనా నా తమ్ముడు అయిన దామోదర్ రావుని సంప్రదించగా అతనికి 11 సం.కలిగి ఉన్న వారి కుమారుడుని ఎటువంటి లాభాపేక్ష ఆశించకుండా అతని భార్య అయిన శ్రీమతి గజలక్ష్మి అంగీకారముతో వారి కుమారుడిని నాకు దత్తత ఇచ్చేందుకుగాను సముఖత వ్యక్తపరచి ఈ దినమున అనగా 19.06.2009 వ తేదీన బలివే గ్రామం, ముసునూరు మండలం, కృష్ణాజిల్లా లోని శ్రీ రామలింగేశ్వర స్వామి వారి దేవస్థానము నందు వేద మంత్రోచ్ఛరణ హోమం సాక్షిగా ఇరుకుటుంబ సభ్యులు, శ్రీయోధిలాషులు మరియు, సాక్షుల సమక్షమున మా తమ్ముడు కొత్తపల్లి దామోదర్ రావు కుమారుడను నేను దత్తత పుత్తునిగా స్వీకరించెయ్యున్నాను.



ఈ దినము నుండి ఈ యొక్క దత్త స్వీకారము చేత ఈ దత్తపుత్తుడు తన యొక్క జనక కుటుంబముతోగల సంబంధ బాంధవ్యములను, హక్కులను, భాధ్యతలను త్యజించివేసి నా కుటుంబ సభ్యునిగా నా స్వంత సిద్ధ కమారునిగా చలామణి అగుతూ ఇక నుంచి నా వారసుడై ఇప్పటివరకు నేను కలిగియున్న స్థిర, చరాస్తులను అన్నియు నా తదుపరి వారసత్వముగా ఈ దత్తపుత్తుడే అన్నీ హక్కులు కలిగియుండి ఈ ఇంటి పేరు, నా కుటుంబావృద్ధి, నా కుటుంబ బాధ్యతలు అన్నియు నెరుపువానిగా నిశ్చయించుటమైనది.

ఇది మనోలో 1వ వారు 2వ వార్లము ఏకస్థులమై వ్రాసుకొన్న దత్తత స్వీకారపత్రము.

సాక్షులు:

- 1.
2. CH. వెంకటేశ్వర రావు

1వ పార్టీ వారు

1. K. Pruthi Parathi

2వ పార్టీ వారు

1. K. చంద్రా
2. K. G. చంద్రా

18

//Translation From Telugu//

DEED OF ADOPTION

Executed on 19.06.2009.

IN FAVOUR OF :KothapalliPushpavathi, D/o. Ranganayakulu, Aged 41 years,
R/o.

Dr.No.10-4-72, Mallikarjunapet, Vijayawada, Krishna District.

EXECUTEDBY :KothapalliDamodara Rao, S/o. Ranganayakulu, R/o.Dr.No.3-43,

Kanumolu Village, Bapulapadu Manal, Krishna District.

NATURE : The 1st party among us is the sister of the 2nd party. I KothapalliPushpavathi has been working as Sweeper in Durga Temple of Vijayawada. In the name of my husband is Jajimoggala Satyanarayana. My marriage was performed in the year 1980. I have only one female child. Her name is Gaza Lakshmi. As I am blessed with a female child my husband left me to my destiny. Ever since I could bring up my female child and got her married to brother the 2nd party herein by name KothapalliDamodhara Rao. They got one female child and one male child. Their names are Kothapalli Supriya, Aged 13 years and Kothapalli Rakesh, Aged 11 years. I have been residing single at Vijayawada.

As I was not blessed with a male child out of wedlock, to look after my health and my welfare I decided to adopt one male child and approached my brother the 2nd party Sri Damodhara Rao who have accepted to give his 11year old son into adoption with the consent of his wife Smt. Gaza Lakshmi, today i.e., on 19.06.2009 I adopted the son of my brother KothapalliDamodhara Rao as per Hindu Rituals at Sri Ramalingeswara Swamy Temple, Balive Village, Musunooru Mandal, Krishna District which is witnessed by the well-wishers and the family members besides the signatories as witnesses.

From today the adopted son due to this adoption his relation with his natural parents would get ceased and he be the son of mine and my legal representative and he alone shall have all the rights on my movable and immovable properties by taking surname to the development of my family and to do all the family responsibilities.

This adoption deed is executed by both No.1 & 2 of us with free will and concern.

WITNESSESS :

1. SD/- XXX
2. SD/- XXX

1st PARTY**SD/-XXX****2nd PARTY****SD/-XXX**

(20) P₂

Date: 29.05.2023

From:

K. Rakesh,
S/o K. Pushpa Vathi,
3-43, Kanumolu,
Krishna District,
Andhra Pradesh, 521106.

To:

The Executive Officer,
Sri Durga Malleswara Swamy Varla Devasthanam,
Indrakeeladri, Vijayawada.

Respected Madam,

Sub: Representation for compassionate Appointment in the establishment of Sri Durga Malleswara Swamy Varla Devasthanam, Indrakeeladri, Vijayawada on permanent basis in place of my late mother K. Pushpa Vathi, worked as Sweeper.

Ref: 1. Circular Memo No. 60681/Ser.A/2003-1 from General Administration (SER.A) Department dated 12.08.2003

2. Memo.No.14141/Ser.II (2) 2007-6 from General Administration (SER.A) Department dated 12.05.2008

3. Family Member Certificate issued by the Tahsildar, Bapulapadu Mandal, Krishna District.

4. No Earning Certificate issued by the Tahsildar, Bapulapadu Mandal, Krishna District.

5. Declaration of Adoption issued by the Presiding Judge-cum-II Additional Junior Civil Judge, Nuziveedu.

6. Adoption Certificate

It is respectfully being submitting that my mother Smt Late K.Pushpavathi joined your Sari Durga Malleswara Swamy Varla Devasthanam on 1995 as NMR. There after her services were regularized by the Executive

(21)

Officer of the temple on 2001. There up on, my mother served the devotees who came to the temple with devotion and received many rewards. Moreover, she has also received the appreciation of the temple authorities repeatedly. She passed away due to cardiac problem on 18-11-2022.

It is respectfully submitted that as my pious mother did not have a male child, I was adopted by my mother in order to perform other rituals according to Hindu Dharmachara in the presence of caste elders and others. My adoption was held at Sri Venkatachala Swamy temple, Nuzveedu Town, Krishna Dist on 19-06-2009. Since then I have been making a living serving my mother and since her death I do not have any other source of income.

Hence, I request the Executive Officer, Sri Durga Malleswara Swamy Varla Devasthanam, Indrakeeladri, Vijayawada to appoint me in Sri Durga Malleswara Swamy Varla Devasthanamu, Indrakeeladri, Vijayawada in a suitable post according to my educational qualifications as soon as possible.

Enclosures:

All the above references.

Yours faithfully

K Rakesh

(22)

6

Kanumolu,
Dt.01.06.2023.

From :

K. Rakesh, S/o. K. Pushpavathi,
R/o. Dr.No.3-43, Konumolu,
Krishna District,
Andhra Pradesh – 521 106.

To

The Executive Officer,
Sri Durga Malleswara Swamyvarla Devasthanam,
Indrakeeladri, Vijayawada.

Respected Sir/Madam,

SUB : Representation for compassionate Appointment in the establishment of Sri Durga Malleswara Swamyvarla Devasthanam, Indrakeeladri, Vijayawada on permanent basis in place of my late mother K. Pushpavathi, worked as Sweeper.

I am son of Kothapalli Damodhara Rao. The name of my natural mother is Gaja Lakshmi. My mother is the only daughter to her parents Kothapalli Pushavathi and Jajimoggala Satyanarayana. My father Sri Damodhara Rao is the brother of Smt. Kothapalli Pushpavathi. My mother married her maternal uncle. My maternal grandmother Smt. Kothapalli Pushpavathi was working as a sweeper in the Sri Durga Malleswara Swamyvarla Devasthanam, Indrakeeladri, Vijayawada. Since she has no male children she adopted me as her son on 19.06.2009 in Sri Ramalingeswara Swamy Temple, Balive Village, Musunooru Mandal, Krishna District as per Hindu Custom and Rites.

My adopted mother Smt. K. Pushpavathi joined the temple service in the year 1995 as NMR. Subsequently her services were regularized as sweeper in the year 2001. She worked in the temple that most devotion and received many rewards and appreciation from the from the authorities. She died on 18.11.2022. As she had no male children she adopted me. In my representation Dt.29.05.2023 I have mentioned that my adoption was held at Sri Venkatachala Swamy Temple, Nuzvid

23

7

Town mistakenly. In fact my adoption had taken place in Sri Ramalingeswara Swamy Temple, Balive Village, Musunooru Mandal. This mistake had happened unknowingly and it may not be taken against my interest. The unregistered deed of adoption is annexed to this representation.

Therefore, I humbly request your Hon'ble Authority to be kind enough to consider my candidature for appointment on compassionate grounds in your esteemed temple.

Thanking You.

Yours Sincerely

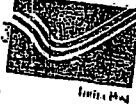
(K. RAKESH)

24

sairakeshpi@gmail.com, Nasik

<Mail 18002666068> (Near Nasik, Stay Date)

भारतीय डाक



RN42904531314 IVR:8278429045313

RL A.P.HIGH COURT S.O <522239>

Counter No:1,27/06/2023,10:56

To:THE EXECUTIVE, INDRAKILADRI VIJ

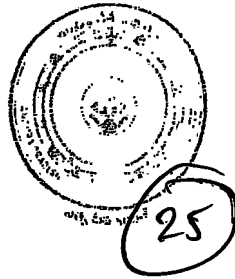
PIN:520001, Vijayawada H.O.

From:K RAKESH, KONJUNLU

Wt:15gms

Amf:25.00/(Cash)

<Track on www.indiapost.gov.in>



AP20 77401235

GOVERNMENT OF ANDHRA PRADESH
REVENUE DEPARTMENT

Application No



FAMC012303366371

Date : 27/02/2023

Family Member Certificate

(As per G.O.Ms.No.145, Revenue(Ser.II) Department, Dated 25.04.2015)
(As per G.O.Ms.No.237, Revenue(Ser.II) Department, Dated 30.06.2015)
(As per G.O.Ms.No.177, Revenue(Ser.II) Department, Dated 29.04.2016)
(As per G.O.Ms.No.200, Revenue(Ser.II) Department, Dated 12.06.2017)

This is to certify that Late Sri/Srimathi/Kumari KOTTAPALLI PUSHPAVATHI S/o/D/o/W/o/F/o/M/o
/G/o of Sri/Srimathi/Master/Kumari KOTTAPALLI RANGANAYAKULU of 3-43, KANUMOLU, KANUMOLU
and BAPULAPADU (Village & Mandal), Krishna (District) (Aadhaar No/Aadhaar Enrolment No) XXXX-
XXXX-0019 who died on 18/11/2022 (As per death certificate enclosed) has the following Family
Members.

S.No	Name of the Family Member	Relationship with deceased	Age (Years)	Gender	Marital Status	Proof Of Document	Identity No
1	KOTTHAPALLI GAJA LAXMI	Daughter	41	Female	Married	AadharNo	XXXX-XXXX-10
2	KOTTHAPALLI RAKESH	Son	23	Male	Married	NA	XXXX-XXXX-40

Certified By

To,
KOTTHAPALLI RAKESH
3-43, KANUMOLU, KANUMOLU
BAPULAPADU

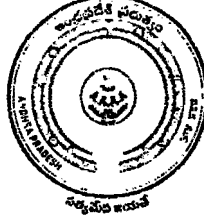
Name : CH. Narasimha Rao
Designation : TAHSILDAR
Mandal : BAPULAPADU

Note :

1. This is a Family Member Certificate and not a legal heir certificate.
2. This Certificate is based on the affidavit produced by the applicant. If the contents of the application are found to be false, prosecution shall be launched against the applicant.

Note: This is a Digitally Signed Certificate, does not require physical signature and this certificate can be verified at by furnishing the application number mentioned in the Certificate. 2/27/2023, 11:57 AM

mee seva



26



P5

మీ సేవ

AP20 77401171

GOVERNMENT OF ANDHRA PRADESH
REVENUE DEPARTMENT

Application No



NEC012300113834

Date : 27/02/2023

నే - ఎర్నింగు మెంబరు ధృవపత్రము

KANUMOLU గ్రామము / పట్టణము **BAPULAPADU** మండలము కాపురస్తులు **KOTTHAPALLI RAKESH** గారి Mother లేటు. **KOTTAPALLI PUSHPAVATHI** గారు దివి 18/11/2022 న మరణించినారని, వారి కుటుంబములో ఎవరు "సంపాదన పరులు లేరని" ధృవపత్రం కొరకు చేసుకొన్న దరఖాస్తు పై, **KANUMOLU** గ్రామ రెవెన్యూ అధికారి మరియు మండల రెవెన్యూ ఇన్స్పెక్టర్ **BAPULAPADU** వారు తనిఖీ చేసి లేటు. **KOTTAPALLI PUSHPAVATHI** F/o / H/o **RANGA NAYAKULU** వారు దివి 18/11/2022 న మరణించినారని ధృవీకరిస్తూ, వారికి ఈ దిగువ తెలియజేసిన కుటుంబ సభ్యులు గలరని, వారిలో **State Government Services** ఉద్యోగము చేస్తూ సంపాదన పరులులేరని తెలియచేస్తూ దరఖాస్తు దారునకు నే - ఎర్నింగు మెంబరు ధృవపత్రము మంజూరుకు సిఫార్సు చేసియున్నాము.

వరుస సంఖ్య	పేరు	వయస్సు	వృత్తి	ఉద్దేశ్యం వ్యక్తి గల సంబంధము
1	KOTTAPALLI GAJA LAXMI	41	House Wife	Daughter
2	KOTTHAPALLI RAKESH	23	Unemployed	Son

దరఖాస్తుదారుడు సమర్పించిన సమాచారమును అనుసరించి, గ్రామ రెవెన్యూ అధికారి **KANUMOLU** మరియు మండల రెవెన్యూ ఇన్స్పెక్టర్ **BAPULAPADU** వారి నివేదికను అనుసరించి మరియు మధ్యవర్తులు ఇచ్చిన వాంగ్మూలమును అనుసరించి, పైన పేర్కొన్న ఆసాములు మరణించిన లేటు. **KOTTAPALLI PUSHPAVATHI** గారి కుటుంబ సభ్యులైన ఉన్నారని, వై తెలియజేసిన 1 నుండి 2 సభ్యులు ప్రభుత్వ సంస్థలో గాని / ప్రభుత్వ రంగ సంస్థలో గాని / ప్రైవేటు సంస్థలో గాని ఉద్యోగము చేస్తూ సంపాదన పరులు లేరని ధృవపర్చడమైనది.

ఈ ధృవపత్రము కేవలం **Compassionate Appointment** కొరకు మాత్రమే ఉపయోగపడునని తెలియజేయడమైనది మరియు ఏ విధమైన కొద్దు లావాదేవీలకు చెల్లనరదు.

Certified By

Name : CH. Narasimha Rao
Designation : Tahsildar
Mandal : BAPULAPADU
District : Krishna

Note : This is Digitally Signed Certificate, does not require physical signature. And this certificate can be verified at <http://www.ap.mee seva.gov.in/> by furnishing the application number mentioned in the Certificate.

Note: This is a Digitally Signed Certificate, does not require physical signature and this certificate can be verified at <http://www.ap.mee seva.gov.in/> by furnishing the application number mentioned in the Certificate.

27/02/2023 11:55 AM

English Translation

GOVERNMENT OF ANDHRA PRADESH

REVENUE DEPARTMENT

Application No.

NECO12300113834

NO EARNING MEMBER CERTIFICATE

It is certified that KOTTAPALLI PUSHPAVATHI Mother of the KOTTHAPALLI RAKESH resident of KANUMLU Village, BAPULAPADU Mandal had died on 18/11/2012 and informed that based on their application for non earning person certificate in their for "income tax return", KANUMOLU Village Revenue Officer and Mandal Revenue Officer BAPULAADU that KOTTAPALLI PUSHPAVATHI F/O / H/O RANGA NAYAKULU died on 18.11.2022 and that they have the following family members and that they have no earnings while doing State Government services sanctioned employment and recommending the grant of No-Earning Member Certificate to the applicant.

S.No.	Name	Age	Occupation	Relationship with the deceased
1	KOTHAPALI GAJALAKSHMI	41	Housewife	Daughter
2	KOTHAPALLI RAKESH	23	Unemployed	Son

Pursuant to the information submitted by the applicant and pursuance of the report of the Village Revenue Officer KANUMOLU and Mandal Revenue Inspector BAPULAPADU and the testimony given by the arbitrators, the said persons died late KOTTAPALLI PUSHPAVATHI are family members. This is to certify that 1 to 2 members mentioned above are employed in educational institutions / public sector institutions / private institutions and have no wealth.

This document is intended to be used only for Compassionate Appointment and is not valid for any other transaction.

Sd/----

BEFORE THE LOK ADALAT BENCH AT NUZVID.

(Referred Under Section 20 of the Legal Services
Authorities Act, 1987)

On this the 12TH day of May, 2023.

Present:

1. Sri. *K. Hanu Babu*, Presiding Judge, cum-
Nuzvidu *I Addl. JUNIOR CIVIL JUDGE.*
2. Sri. *M. Ravikanth*, Advocate - Member, Nuzvidu.
3. Sri. , Member, Nuzvidu.

Lok Adalat Case No. 266 /2023

(O.S.NO.151/2023 on the file of I Addl. Junior
Civil Judge at Nuzvidu)

Between:

Kothapalli Rakesh,
S/o.Late Damodara Rao,
Hindu, aged 24 years, Un-employee,
R/o.D.No.3-43, Kanumolu Village,
Bapulapadu Mandal,
Krishna District.

...Plaintiff.

And

Kottapalli Gaja Lakshmi,
W/o.Late Kottapalli Dhamordhara Rao,
Hindu, aged about 42 years,
Housewife, R/o. D.No.4-8,
Kanumolu Village, Bapulapadu Mandal,
Krishna District

...Defendant.

Particulars regarding Suit:

This is the suit filed by the plaintiff against the defendant for Declaring that the Plaintiff is the adopted son of the deceased Kottapalli Pushpavathi as per the unregistered Adoption Deed, Dt.19.06.2009 executed in between Kottapalli Damodhara Rao and Kottapalli Gajalakshmi and other reliefs as prayed for. Both parties compromised the subject matter of the suit out of the court as per the advise of their elders.

Plaint presented on 11.04.2023.

The suit is Valued at Rs.1,00,000/- U/S.50(1) of A.P.C.F. & S.V.Act on which a court of Rs.3,426/- is to be paid under Section 20(1) of A.P.C.F. & S.V.Act.

This suit was referred to Lok Adalat at the request of both parties, on the Memo filed by the Advocates on the file of I Addl. Junior Civil Judge at Nuzvidu.

This suit is coming on for final settlement in the presence of the plaintiff and Defendant and Sri.D.Naresh Babu, Advocate for Plaintiff and Sri.M.Sasidhar, Advocate for Defendant. Both parties to the suit have agreed for amicable settlement and filed terms of compromise with free will and volition. Hence, the following Award is passed as per the settlement arrived by the parties.

A W A R D

1. the plaintiff and the Defendant are compromised the subject matter of the suit before the elders out of the court.
2. The defendant agreed to declare the plaintiff is the adopted son of her mother i.e., Kothapalli Pushpavathi.
3. The defendant agreed that the adoption deed was executed in between her and her husband i.e., Kothapalli Damodara Rao.
4. The defendant has no objection to provided the job of deceased Kothapalli Pushpavathi in

favour of the plaintiff on compassionate grounds.

5. The plaintiff agreed to leave and to give 5 sovereigns of gold ornaments to the defendant.
6. The defendant agreed to give her no objection and to sign on the relevant papers of the employer to provide the job to the plaintiff.

We request the Lok adalat to pass an Award in terms of the settlement mentioned above.

Both parties have affixed their signatures in evidence of their consent for the terms of Award.

K. Rakesh.

Signature of the Plaintiff.



Advocate for the Plaintiff.

K. Gadadalesh

Signature of the Defendant



Advocate for the Defendant

Given under the hand and the seal of the Lok Adalat Bench on this the 12th day of May, 2023.

K. Hari Babu
10/05/2023
Presiding Judge.

Members :

1. 

2. 

4
(20)

BEFORE THE LOK ADALAT BENCH AT NUZVID.

(Referred Under Section 20 of the Legal Services
Authorities Act, 1987)

On this the 12TH day of May, 2023.

Present:

1. Sri. K. Hanubabu , Presiding Judge, Nuzvidu
2. Sri. M. Venkatesh , Advocate - Member, Nuzvidu.
3. Sri. , Member, Nuzvidu.

Lok Adalat Case No. /2023

(O.S.NO.151/2023 on the file of I Addl. Junior
Civil Judge at Nuzvidu)

Between:

Kothapalli Rakesh,
S/o.Late Damodara Rao,
Hindu, aged 24 years, Un-employee,
R/o.D.No.3-43, Kanumolu Village,
Bapulapadu Mandal,
Krishna District. ...Plaintiff.

And

Kottapalli Gaja Lakshmi,
W/o.Late Kottapalli Dhamordhara Rao,
Hindu, aged about 42 years,
Housewife, R/o. D.No.4-8,
Kanumolu Village, Bapulapadu Mandal,
Krishna District ...Defendant.

Whereas the parties in the said proceedings
agreed before the Lok Adalat for a compromise in
the matter after negotiations and discussions for
the following terms.

TERMS OF COMPROMISE.

1. It is submitted that the plaintiff and the
Defendant are compromised the subject matter of
the suit before the elders out of the court.

2. The defendant agreed to declare the plaintiff
is the adopted son of her mother i.e.,
Kothapalli Pushpavathi.

14/5/23

3. The defendant agreed that the adoption deed was executed in between her and her husband i.e., Kothapalli Damodara Rao.
4. The defendant has no objection to ~~provided~~ the job of deceased Kothapalli Pushpavathi in favour of the plaintiff on compassionate grounds.
5. The plaintiff agreed to leave and to give 5 sovereigns of gold ornaments to the defendant.
6. The defendant agreed to give her no objection and to sign on the relevant papers of the employer to provide the job to the plaintiff.

We request the Lok Adalat to pass an Award in terms of the settlement mentioned above.

K. Rakesh.

Signature of the Plaintiff.

K. Brahmanandam.

Signature of the Defendant.

Mark

Advocate for the Plaintiff.

A. S. S. S.

Advocate for the Defendant.

32

**GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (SER.A) DEPARTMENT**

Circular Memo.No.60681/Ser.A/2003-1

Dated: 12-8-2003.

Sub:- Public Services - Compassionate Appointments Compassionate appointments to the dependents of deceased Government Employees - Existing instructions consolidated - Communicated.

The Scheme of compassionate appointment to the dependents of deceased Government employees is in force as per the orders issued in G.O.Ms.No.687, General Administration (Ser.A) Department, dated 3-10-1977. Instructions/Clarifications/Further orders were issued from time to time in the matter. A Hand Book (Booklet No.3) containing various orders issued is prepared and communicated.

2. It is now considered desirable to communicate a summary of the orders/instructions on the scheme of compassionate appointments to the dependents of the deceased Government Employees for use of all concerned. Accordingly, a comprehensive note on the Scheme of compassionate appointment to the dependents of the deceased government employees, is enclosed.

**B. ARAVINDA REDDY
SECRETARY TO GOVERNMENT (SER.)**

To

All Departments of Secretariat.

All Heads of Departments.

All District Collectors.

// Forwarded By Order //

SECTION OFFICER

THE SCHEME OF COMPASSIONATE APPOINTMENT TO THE DEPENDENTS OF GOVERNMENT EMPLOYEES WHO DIED IN HARNESS AND WHO ARE FOUND MISSING AND WHEREABOUTS NOT KNOWN.

I. The objective of the Compassionate Appointment Scheme:

The scheme of compassionate appointment is a social security measure to help families of deceased Government employees.

Under the scheme, the following are eligible for appointment to a job in Government Service.

- (i) One of the dependent family members of the deceased government employee who die in harness, there being no other earning member in the family.
- (ii) One of the dependents of the Government employee, who has disappeared and whose whereabouts are not known for more than 7 (seven) years, subject to the following conditions:
 - (a) A request for grant of the benefit of compassionate appointments can be considered only after a lapse of 7 (seven) years from the date from which the Government servant has been missing, provided that:
 - (i) An FIR (First Information Report) to this effect has been lodged with the police:
 - (ii) The police report shall certify that the missing Government employee is not traceable: and
 - (iii) the competent authority feels that the case is genuine:
 - (b) This benefit shall not be applicable to the case of a Government servant:-
 - (i) Who had less than 7 (seven) years to retire on the date from which the FIR is filed: and/ or
 - (ii) who is suspected to have committed framed or suspected to have joined any terrorist/extremist organisation or suspected

to have gone abroad.

- (c) While considering the request for compassionate appointment the result of the police investigation shall also be taken into account:
- (d) Applications for compassionate appointment from the dependents of such missing Government employees shall be entertained within a period of one year from the date of completion of 7 (Seven) years from the date of filing FIR with police.
- (e) A decision on any such request for compassionate appointment shall be taken only at the level of the Secretary to Government of the respective administrative Department concerned and only after receipt of the approval from the concerned Secretary to Government, the respective appointing authorities shall issue necessary orders to appoint the eligible dependent of such missing Government employee as per the existing instructions on the scheme of compassionate appointments to the dependents of deceased Government employees in addition to the above conditions, if there is a vacancy readily available in the department.
- (f) A bond shall be obtained from the dependent of such missing Government employee, whose whereabouts are not known for more than 7 (seven) years that in the event of appearance of such missing Government employee at a later date or proved that such missing Government employee is alive anywhere, the services of the persons so appointed are liable for termination.

II Dependent family member means:-

- (a) Spouse
- (b) Son/Daughter } of regular Govt. employees.
- i) In the family of the deceased government employee, if the son who is employed is separated from the family and if the family is without an earning member, the spouse/son/daughter out of the

25

remaining family may be considered for compassionate appointment.

- ii) The adopted son or daughter of the deceased Government servant may be considered for appointment, if the adoption had taken place legally, atleast five years prior to the date of demise of the Government Servant.

When there is only a married daughter to the deceased Government employee without older or younger brothers or sisters and the spouse of the deceased Government employee is not willing to avail the compassionate appointment, such married daughter maybe considered for compassionate appointment, provided she is dependent on the deceased Government employee.

Where the unmarried daughter of the deceased employee who is otherwise eligible on the date of the death of the deceased government employee and she is also eligible as an unmarried daughter the day she has applied for compassionate appointment but subsequently gets married before she could be appointed due to administrative delays in issuing the appointment orders, such married daughter of the deceased Government employee is eligible for compassionate appointment provided she applied for the post within the prescribed time limit before her marriage and subject to satisfying other conditions and instructions issued on the scheme from time to time.

Where the deceased employee does not have any male child but leaves behind him a married daughter and an unmarried minor daughter, the choice of selecting one of them for appointment under the social security scheme shall be left to the mother.

(c) In case of Un-Married Government Employee.

The Younger brother / sister of the deceased Government servant who remained unmarried.

A widow appointed on compassionate grounds will be allowed to continue in service even after re-marriage.

III. POST TO WHICH THE APPOINTMENTS CAN BE MADE:

Appointment under the scheme can be made to the post of Junior Assistant or for any other category of posts whose pay is equal or less than that of Junior Assistant. If this condition is satisfied the appointments can be made for the post such as Police Constable in Police Department, Excise Constables in Excise Department, Helper Grade-I and Grade-II in Forest Department, Leading Fireman/ Firemen in Fire Service Department.

IV. NATURE OF APPOINTMENT:

The temporary appointment of a spouse or any dependent of a deceased Government servant can be considered for regular appointment without subjecting them to the normal process of recruitment as provided in the relevant recruitment rules provided such family members of the deceased servant satisfy other conditions of recruitment prescribed in the rules such as age and educational qualification However;

- (a) a formal notification of vacancy may be made to the Employment Exchange;
- (b) after filling up the vacancy, the appointing authority will furnish all relevant particulars of the candidate to the Employment Exchange.
- (c) Such appointments should be made under intimation to the Director, Employment and Training excepting in case of High Court.

These appointments are outside the purview of District Selection Committees/Andhra Pradesh Public Service Commission.

The application for appointment shall be submitted by the dependents within one year from the date of demise of the Government Employee.

In case the dependent children are minors, below 18 years of age, if such minors attain the age of 18 years within two years from the date of death, the application for appointment will be considered for compassionate appointment.

As the Scheme of compassionate appointment is to provide immediate relief to the family in distress of deceased Government employee, orders on re-deployment of surplus man power or any ban on recruitment are not applicable for the appointment made under the compassionate appointment scheme.

If the dependent of the deceased Government employee is Women, she may be considered for compassionate appointment anywhere in the State, where she feels secured.

V. THE COMPETENT AUTHORITY:-

The appointing authority is the competent authority to make appointments.

VI. ELIGIBILITY:

(a) The maximum age limit shall be 33 years for Open Category, and for Scheduled Caste/Scheduled Tribe/Backward Classes 5 (Five) years age concession shall be given.

(b) The qualifications as prescribed in the Rules for the post for which the compassionate appointment is made;

(c) The eligibility of the candidate in terms of his/her educational qualification has to be reckoned with the date of application of the dependent of the deceased Government Employee for appointment, as the applications for appointment from such persons shall be entertained within a period of one year from the date of occurrence of the death of Government servant.

(d) The spouse of the deceased employee may be appointed initially on temporary basis by the appointing authority after being allotted by the nodal agency concerned and if such an appointment requires relaxation of age, necessary proposal should be sent to the administrative department concerned in Government for taking further action for relaxation of the age rule.

VII. APPOINTMENTS SUBJECT TO ACQUIRING QUALIFICATION:

A minimum period of 3 years to acquire Intermediate qualification and 5 years for acquisition of Degree qualification be allowed in respect of candidates appointed to the posts of Junior Assistants in the Subordinate Offices and Heads of Departments and Secretariat Departments as the case may be, The period should be reckoned from the date of appointment of the individual concerned.

A further period of 2 years as grace period will be allowed to acquire the academic / Technical qualification.

If the candidate could not acquire the prescribed qualification within the time allowed he/she will be considered for appointment to the lower post, on the request of the individual, otherwise, will be discharged from service.

VIII. PROCEDURE TO BE FOLLOWED :

The compassionate appointment shall be in the unit of appointment wherein the deceased employee was working.

If there is no vacancy, such cases shall be sent to the District Collector who is the Nodal Authority to make compassionate appointment and for allotment of candidates to any of the Departments at the District Level.

The District Collectors are empowered to create supernumerary posts to an extent of 5 posts to consider compassionate appointment in a Calendar Year, when there are no vacancies in any of the Departments at District Level.

In respect of the Heads of Department in twin cities, the creation of the Supernumerary post will be considered by the General Administration (IC) Department.

- (i) The supernumerary shall be created in the unit of appointment of the Department concerned. Wherein the deceased employee was working and in whose case the compassionate appointment could not be made. In case of necessity for creation supernumerary post over and above the limit of 5 posts, the District Collector may send a proposal to the concerned administrative department in Secretariat

with full details.

- (ii) The compassionate appointment shall be against direct recruitment quota.

If the dependent of the deceased Government employee happens to be a non local, such persons shall be appointed in the non-local quota as per the Presidential Order as per the Six Point Formula.

- (iii) Cases of appointment of dependents (spouse, son and unmarried daughter) of the deceased Government employees to posts included in the A.P. Last Grade Service involving relaxation of age, educational qualifications etc., need not be referred to Government in future. The appointing authority is authorised to make purely temporary appointments in the above cases. The regular appointments in these cases would however, be made only after the relevant rules wherever necessary are relaxed in favour of the concerned individuals by the concerned Head of the Department.

- (iv) The Rule of reservation as per Rule 22 of Andhra Pradesh State and Subordinate Service Rules shall be followed.

The O.C. vacancy available, can be utilised for appointing the S.C./S.T./B.C. candidates under the scheme of compassionate appointments to the dependents of deceased Government employees even if there are no vacancies available for these reserved categories as per the roster instead of creating supernumerary posts. The supernumerary post has to be created only in the absence of the vacancy meant for O.C. category. Similarly in case of O.C./S.C/S.T/B.C candidates, if there is no immediate vacancy for that particular community and if O.C. vacancies are available in the roster after certain reserved category vacancies, such O.C. vacancies can be utilised, by-passing the immediate S.C./S.T./B.C. vacancies for accommodating and appointing the O.C./S.C/S.T./B.C. candidate under the scheme of

compassionate appointments.

IX. PAYMENT OF EX-GRATIA:

The quantum of Ex-gratia to be paid to the distressed family of a deceased employee where the relief by way of appointment of the dependents cannot be considered to the widow, dependent of the deceased employee, as the case may be is indicated below:

Class-IV employees	Rs.20,000
Non Gazetted Officers	Rs.30,000/-
Gazetted Officers	Rs.40,000/-

The Ex-gratia mentioned above should be sanctioned, only in cases of death in harness and where the family has no other earning member in the family and no suitable person for appointment under the scheme of compassionate appointments is available. The children should be minors and the spouse/or any other dependent does not avail compassionate appointment.

The amount should be drawn and disbursed by the Drawing Officer of the concerned Office in which the deceased Government servant worked.

X. UNDERTAKING:

In the offer of appointment on Compassionate grounds to the dependents of deceased Government employees the following condition, among others, should be incorporated:

"An undertaking in writing should be given that he/she (the person appointed) will maintain properly the other family members who were dependent on the Government servant (deceased Government

41

employee/Government Employee who retired on medical invalidation) and in case it is proved subsequently (at any time) that the family members are being neglected or are not being maintained properly by him/her the appointment may be terminated forthwith"

The appointment on Compassionate grounds can be terminated on the ground of noncompliance of any conditions stated in the offer of appointment after providing an opportunity to the compassionate appointee by way of issue of show cause notice asking him/her to explain why his/her services should not be terminated for noncompliance of the condition in the offer of appointment and it is not necessary to follow the procedure prescribed in the Andhra Pradesh Civil Services (Classification Control and Appeal) Rules / Andhra Pradesh State and Subordinate Service Rules or any rules in force.

The power of termination of services for non-compliance of the conditions in the offer of compassionate appointments shall be exercised by the Secretary to Government of the administrative Department concerned in respect of appointments in the Department of Secretariat or the Head of the Department in the case of other offices.

**B. ARAVINDA REDDY
SECRETARY TO GOVERNMENT(SER.)**

42

P8



**MEMORANDUM OF WRIT PETITION MISC. PETITION
(UNDER SEC. 151 OF THE C.P.C.)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

OF 2024

IN

OF 2024

Between:

**Kothapalli Rakesh,
adopted son of Kothapalli Pushpavathi,
biological son of K. Damodar Rao,
aged about 25 years, R/o # 3-43,
Kanumolu village & mandalam,
Krishna district.**

...Petitioner

AND

- 1) The State of Andhra Pradesh,
Rep. by it's Principal Secretary (Endowments),
Secretariat buildings, Velagapudi, Amaravathi.**

- 2) The Commissioner,
Endowments department,
Gollapudi, Vijayawada.**

- 3) Sri Durgamalleswara swamy varla devasthanam,
Indrakeeladri, Vijayawada.
Rep. by it's Executive Officer.**

... Respondents

For The Reasons Stated In The Affidavit Filed In Support Of The Above Writ Petition It Is Hereby Prayed That This Hon'ble Court may be pleased to DIRECT the 3rd respondents official to provide me compassionate appointment in the 3rd respondent devasthanam on the account of the demise of my adopted mother; late Smt. Kothapalli Pushpavathi, in the interest of justice and pass such other order or orders that this Hon'ble court may deem fit and proper in the circumstances of the case..

Amaravati
DATE: 20.01.2025

Counsel for the Petitioners

9

afp

KRISHNA DISTRICT

IN THE HIGH COURT OF ANDHRA
PRADESH AT AMARAVATI

I.A.NO. OF 2025

IN

W.P. NO. OF 2025

See II
(End)

DIRECTION PETITION



Filed by:

M/S J.V.PHANIDUTH (22024)
Advocate

Counsel for Petitioner
Ph: 9393380220.

