



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3418]

THURSDAY, THE ELEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

AND

THE HONOURABLE SRI JUSTICE V. GOPALA KRISHNA RAO

WRIT PETITION No.30056 of 2021

Between:

1.Y. PRAVEEN KUMAR, S/O. Y.SOMANNA, AGED ABOUT 32
YEARS, OCCUPATION: UNEMPLOYEE, RESIDENT OF
GUNTANALA VILLAGE, NANDYAL MANDAL, KURNOOL
DISTRICT.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS
PRINCIPAL SECRETARY, SOCIAL WELFARE DEPARTMENT,
SECRETARIAT, VELAGAPUDI, AMARAVATHI.

2.THE DIRECTOR, SOCIAL WELFARE DEPARTMENT, A.P.,
VIJAYAWADA.

3.THE ASSISTANT DIRECTOR, SOCIAL WELFARE
DEPARTMENT, KURNOOL, KURNOOL DISTRICT.

4.THE DISTRICT SOCIAL WELFARE OFFICER, KURNOOL,
KURNOOL DISTRICT.

5.THE DISTRICT COLLECTOR, KURNOOL, KURNOOL

DISTRICT.

6.THE DEPUTY DIRECTOR, SOCIAL WELFARE DEPARTMENT,
KURNOOL, KURNOOL DISTRICT.

7.THE ANDHRA PRADESH STATE ADMINISTRATIVE
TRIBUNAL, HYDERABAD, REPRESENTED BY ITS
REGISTRAR.

...RESPONDENT(S):

Counsel for the Petitioner:

1.SRINIVASA RAO KURAPATI

Counsel for the Respondent(S):

1.GP FOR SERVICES II

The Court made the following:

**THE HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY
AND**

THE HON'BLE SRI JUSTICE V. GOPALA KRISHNA RAO

WRIT PETITION No.30056 of 2021

ORDER: *(Per Hon'ble Sri Justice Cheekati Manavendranath Roy)*

This writ petition is filed challenging the legal validity of the order dated 04.09.2017 passed in O.A.No.1025 of 2016 by the Andhra Pradesh Administrative Tribunal, whereby the claim of the petitioner for compassionate appointment was declined.

2. Heard Sri Srinivasa Rao Kurapati, learned counsel for the petitioner, and Sri Ramalingeswara Rao Kocharlakota, learned Government Pleader for Services-II appearing for the official respondents.

3. Brief overview of the facts leading to the *lis* in the writ petition may be stated as follows:

(i) A person by name Yeddula Somanna was an employee in Social Welfare Department. Eswaramma is his legally wedded wife. They had no issues. As Yeddula Somanna died in harness while he was in service, his wife Eswaramma was appointed as Kamati in the Boys Hostel of Social Welfare Department on compassionate grounds, as she had no source of livelihood or income after the death of her husband. Subsequently, the said Eswaramma also died in harness on 07.01.2011, while working in the Social Welfare Department.

(ii) After the death of Eswaramma, the petitioner herein, claiming to be her adopted son, sought appointment on compassionate

grounds in the Social Welfare Department. He laid the said claim on the basis of a registered adoption deed dated 20.08.2010 said to have been executed by the said Eswaramma. The concerned authority of the Social Welfare Department rejected his claim for appointment on compassionate grounds. Aggrieved by the same, he has filed O.A.No.1025 of 2016 before the Andhra Pradesh Administrative Tribunal. He has produced a copy of the said registered adoption deed dated 20.08.2010 along with a copy of the Transfer Certificate and other documents before the Tribunal to substantiate his claim for compassionate appointment.

(iii) His claim was opposed by the respondents and they filed their counter stating that no adoption, as alleged by the petitioner, ever took place and Eswaramma did not take the petitioner in adoption and the said registered adoption deed, which was pressed into service, was created just one year prior to the death of Eswaramma and it is not valid. It was further pleaded that another person, by name K. Venugopal, has also made a claim for compassionate appointment, claiming to be the adopted son of the deceased Eswaramma on the basis of an unregistered adoption deed dated 08.04.1990.

(iv) The Tribunal, after considering the evidence on record, held that the plea of adoption taken by the petitioner is false. The Tribunal also found that in the ration card, the petitioner is shown as the son of his natural father and it clearly disproves the claim of adoption.

(v) Aggrieved thereby, the petitioner has filed the instant writ petition assailing the legality and validity of the impugned order of the Tribunal.

4. Learned counsel for the petitioner has now produced a copy of the Study Certificate said to have been issued by the Headmaster of RCM Aided Elementary School, Mahanandi Mandal, showing the deceased Eswaramma as the mother of the petitioner.

5. We have carefully and meticulously considered the evidence produced by the petitioner before the Tribunal as well as the copy of the Study Certificate now placed before this Court. We have absolutely no hesitation to hold that the said Study Certificate, which is now produced before this Court after the dismissal of the O.A. by the Tribunal, is purely a fabricated one. It is an undated certificate and it contains no details as to on which date it was issued. Further, it was not produced before the Tribunal and it is produced for the first time before this Court at a belated stage. Therefore, obviously, it is a document that is now created for the purpose of supporting the false claim made by the petitioner for compassionate appointment.

6. As regards the registered adoption deed dated 20.08.2010 that was produced before the Tribunal is concerned, it was a document which came into existence just one year prior to the death of the said employee by name Eswaramma. She died in the year 2011 and the said document came into existence in the year 2010. According to the submission made by the learned Government Pleader for Services-II, she suffered from ill-health for a period of one year prior to her death. Therefore, in anticipation that she may die and in order to claim compassionate appointment, it is obvious that the said registered adoption deed was created. We have also gone through the contents of the said registered adoption deed. No date of adoption is mentioned in it nor even the year. It is simply stated in a vague manner that the said adoption took place when the petitioner was a minor. Therefore,

as the said adoption deed was registered just one year prior to her death and that too while she was suffering from ailment, no credence can be given to the said adoption deed in proof of adoption of the petitioner by the said Eswaramma.

7. If really the adoption of the petitioner took place when he was a minor, in all the subsequent records and public documents, such as voter card, ration card etc., he should have been shown as the son of Eswaramma. No such documents were produced. Although one document, which is the Transfer Certificate issued by the Headmaster of Vivekananda Gurukula Vidyalaya, Mahanandi, was produced, it was not proved in accordance with the mode prescribed under law. Further, the Tribunal has also found that the petitioner is shown as the son of his natural father in the ration card. The Tribunal has elaborately discussed about the validity of the documents produced by the petitioner and by giving valid reasons, did not believe the authenticity of the said documents filed in proof of the factum of the adoption pleaded by the petitioner. Upon considering the evidence on record, we are also of the same view that the petitioner failed to prove that he was taken in adoption by the said Eswaramma by fulfilling the requirements of law. So, we do not find any legal flaw or infirmity in the impugned order of the Tribunal.

8. It is also relevant to note that the said Eswaramma did not furnish the name of the petitioner as her adopted son in her service record. If really she has taken him in adoption, certainly she would have shown him as her adopted son in her service record. This is a strong circumstance to disbelieve the claim of the petitioner that he is the adopted son of Eswaramma. Therefore, in the absence of any proof to show that he was actually taken in adoption by Eswaramma

and he was the adopted son of Eswaramma, his claim for appointment on compassionate grounds after the demise of Eswaramma cannot be considered. So, his claim has been rightly rejected by the respondents and the Tribunal has also rightly dismissed the O.A. filed by him. The impugned order of the Tribunal is perfectly sustainable under law and it calls for no interference in this writ petition. So, the writ petition is liable to be dismissed.

9. Accordingly, the writ petition is dismissed. There shall be no order as to costs.

As a sequel, interlocutory applications, if any pending, in this case shall stand closed.

JUSTICE CHEEKATI MANAVENDRANATH ROY

JUSTICE V. GOPALA KRISHNA RAO

Date: 11.12.2025
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Dt: 11.12.2025

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