



**IN THE HIGH COURT OF KARNATAKA,
DHARWAD BENCH
DATED THIS THE 19TH DAY OF AUGUST 2025
BEFORE
THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ
WRIT PETITION NO. 101661 OF 2025 (S-KSRTC)**

BETWEEN:

1. SMT. MANTAVVA
W/O MANTAPPA LOLASAR,
AGED ABOUT. 65 YEARS,
OCC. HOUSEHOLD,
2. SRI SANGANNA
S/O. MANTAPPA LOLASAR,
AGED ABOUT 34 YEARS,

BOTH ARE RESIDENT OF
ARASANAL GRAM,
TQ. MUDDEBIHAL,
DIST. VIJAYAPURA, 586124.

...PETITIONERS

(BY SRI. RAVI HEGDE., ADVOCATE)

AND:

THE DIVISIONAL CONTROLLER,
K.K.R.T.C., BALLARI DIVISION,
BALLARI, 583101.

...RESPONDENT

(BY SRI. PRAKASH HOSAMANI., ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER WRIT OR ORDER QUASHING THE ENDORSEMENT DATED. 04-11-2024, IN NUMBER KA.KA.RA.SA/BA.VI/SIBBANDI/R-1/2608/2024, VIDE ANNEXURE-D ISSUED BY RESPONDENT, AND ETC.

THIS WRIT PETITION, COMING ON FOR PRELIMINARY HEARING THIS DAY, ORDER WAS MADE THEREIN AS UNDER:





ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ)

1. The Petitioners are before this Court seeking for the following reliefs:

- a. *Issue a writ of certiorari or any other writ or order quashing the endorsement dated 04.11.2024, in Number: Ka.Ka.Ra.Sa.Ba.Vi/Sibbandi/R-1/260-2/2024, vide Annexure-D, issued by Respondent and;*
- b. *Consequent upon quashing the aforesaid endorsement, issue writ of mandamus directing the Respondent-Corporation to appoint the petitioner no.2 on compassionate ground to the suitable post, by fixing outer limit, and*
- c. *Issue any other writ or order as this Hon'ble Court may deem fit in the circumstances of present case including cost, in the ends of justice.*

2. Petitioner No.1 is the mother and Petitioner No.2 is the brother of deceased Veeresh Mantappa Lolasar, who was employed as a driver with Respondent Corporation on 18.3.2008. He having expired in harness on 21.9.2023, an application having been made for appointment on compassionate basis by the Petitioners seeking for appointment of Petitioner No.2-brother of the deceased, the said application



came to be rejected vide endorsement dated 4.11.2024 at Annexure-D on the ground that the deceased Veeresh Mantappa Lolasar was married and as such, no employment on compassionate basis could be provided to his brother.

3. Sri.Ravi Hegde, learned counsel for the Petitioners would submit that though there is no dispute of Veeresh Mantappa Lolasar having been married, his wife Sunanda predeceased him on 9.4.2022 without any children and the said Veeresh Mantappa Lolasar was taking care of his mother and brother and as such, he submits that appointment on compassionate basis ought to have been provided to his brother, who is also looking after the mother.
4. Sri.Prakash Hosamani, learned counsel for the Respondent, however, contends that as per the policy of the Respondent - Road Transport Corporation, if the deceased were to be married,



compassionate employment cannot be provided for anyone else other than the wife and children.

5. Heard Sri.Ravi Hegde, learned counsel for the petitioner and Sri.Prakash Hosmani, learned counsel for the respondent and perused papers.
6. A short question that would arise for consideration in the matter is whether a deceased employee's spouse were to predecease him, could the Road Transport Corporation even then contend that a compassionate appointment cannot be granted to any other relative of the deceased employee?
7. The ambit and purport of appointment on a compassionate basis is to ensure that the family of the deceased employee is taken care of and the exigencies due to the death ought not to result in a financial burden to the family. In the present matter, the Road Transport Corporation does not deny compassionate appointment but only contends



that Petitioner No.2 could not be granted a compassionate appointment since the deceased employee was married. However, the fact remains that the spouse of the deceased employee had predeceased him on 9.4.2022, and they do not have any children who could seek a compassionate appointment.

8. Petitioner No.1-mother, and Petitioner No.2-brother, are living together, and after the death of the spouse, the deceased employee was taking care of both his mother and brother. In that view of the matter, I am of the opinion that Petitioner No.2, having undertaken to take care of Petitioner No.1, the mother, the application of Petitioner No.2 for appointment on a compassionate basis ought to have been considered by the Respondent in a proper perspective.
9. Hence, I answer the point framed by holding that if the spouse of the employee had predeceased the



employee and there are no children, the mere marriage of the deceased employee cannot be a ground to reject an application for compassionate appointment. In that background, I pass the following:

ORDER

- i) The Writ Petition is ***allowed.***
- ii) A certiorari is issued. The endorsement dated 4.11.2024 bearing No.KA.KA.RA.SABA.VI/SIBBANDI/R-1/2608/2024 at Annexure-D is quashed.
- iii) Respondent-Corporation is directed to consider the application of Petitioner No.2 and appoint Petitioner No.2 on compassionate grounds to a suitable post as per his qualification within a period of twelve weeks from the date of receipt of a copy of this order.
- iv) Liberty is, however, reserved to Petitioner No.1 to move for cancellation of the above order in



NC: 2025:KHC-D:10457
WP No. 101661 of 2025

the event of Petitioner No.2 not taking care of
Petitioner No.1.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

PRS
List No.: 1 Sl No.: 63