

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.3.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.1744 of 2015

R.Shubashini

.. Petitioner

Vs.

1. State of Tamil Nadu
Rep.by its Secretary
Higher Education Department,
Fort st.George, Chennai-9.
 2. The Administrator
Annamalai University
Annamalai Nagar, Chidambaram
 3. The Registrar
Annamalai University
Annamalai Nagar, Chidambaram
- .. Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of mandamus directing the 2nd respondent to consider the petitioner for appointment to a suitable post on the compassionate ground.

For Petitioner : Mr.T.Saravanan
For R1 : Mr.P.Sanjay Gandhi
Additional Government Pleader
For R2 and R3 : Mr.R.Suresh Kumar

सत्यमेव जयते
O R D E R

The petitioner is the widow of Thiru.V.Krishnamurthi, who was an employee of Annamalai University. The husband of the petitioner died in harness on 31.3.2013. He is survived by his parents, the petitioner and her son. The petitioner submitted an application for Compassionate Appointment on 05.11.2014. Subsequently, she submitted a representation to the third respondent on 09.12.2014. However, there was no follow up action taken by the respondents resulting in filing this writ petition.

2. The Registrar, Annamalai University in his counter affidavit contended that there are as many as 7173 surplus staff as on 31.10.2012 and as such, it is very difficult to consider the case of the petitioner for Compassionate appointment. The Registrar, further contended that 55 employees died prior to the death of the husband of the petitioner and as such, her name would be considered only after considering the applications for

compassionate appointment of the legal representatives of those 55 employees.

3. Heard the learned counsel for the petitioner and the learned standing counsel on behalf of Annamalai University.

4. The third respondent in his counter affidavit stated that they are maintaining the list of applications made for Compassionate appointment. The name of the petitioner is included as Sl.No.56, taking in to account the date of death of the employee. There is no question of directing the Registrar, Annamalai University, to ignore the seniority list and offer appointment to the petitioner. The petitioner should wait for her turn.

5. The third respondent is directed to consider and dispose of the case of the petitioner for compassionate appointment in the light of the seniority list maintained by the University.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar
Dated:23.3.15

True Copy

Sub Assistant Registrar

To

1. The Secretary to Government,
Higher Education Department,
Fort st.George, Chennai-9.

2. The Administrator
Annamalai University
Annamalai Nagar, Chidambaram

3. The Registrar
Annamalai University
Annamalai Nagar, Chidambaram

+1 cc to M/s.T.Saravanan, Advocate, SR.13531

+1 cc to M/s.R.Sunilkumar, Advocate, SR.13081

+1 cc to Government Pleader, SR.13279.

rsk(co)
krd 26/3

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