

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.19018 of 2015

C.Sivasankaran

...Petitioner

Vs.

1. The State of Tamil Nadu,
Principal Secretary to Government
Municipal Administration and Water Supply Department,
Secretariat, Fort St.George,
Chennai - 600 009
2. The District Collector,
Thiruvallur District,
Thiruvallur
3. The Executive Officer,
Arani Town Panchayat,
Thiruvallur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to direct the respondents to consider the claim of the petitioner for appointment to the post of Junior Assistant on compassionate grounds in the available vacancy in 3rd respondent Town Panchayat or other Town Panchayat within the District by considering the proposal forwarded by the 2nd respondent to the 3rd respondent dated 15.6.2013 as well as the subsequent representation submitted by the petitioner dated 15.12.2014.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.Vijayaprakash Narayanan,
Spl.G.P. for RR.1 and 2

Mr.Rm.Muthukumar,
Govt.Advocate for R.3

ORDER

The father of the petitioner was a fitter in the 3rd respondent Town Panchayat. He suddenly died on 7.1.2009 due to heart attack. In these circumstances, the petitioner was given compassionate appointment as a gardener by an order dated 3.9.2009. The petitioner made a representation to appoint him as Junior Assistant as he is in possession of the qualification. The 3rd respondent has forwarded a proposal dated 15.6.2013 to the 2nd respondent for appointment of the petitioner as Junior Assistant in the future vacancy based on the seniority. In these circumstances, the writ petition is filed seeking for a direction to appoint the petitioner as Junior Assistant.

2. At the time of hearing of the writ petition, learned counsel appearing for the petitioner has submitted that the second respondent may be directed to pass orders on the proposal dated 15.6.2013 of the 3rd respondent relating to the appointment of the petitioner as Junior Assistant/Bill Collector within a period of twelve weeks from the date of receipt of copy of this order.

3. Heard Mr.Vijayaprakash Narayanan, learned Special Government Pleader appearing for respondents 1 and 2 and the Mr.Rm.Muthukumar, learned Government Advocate appearing for the 3rd respondent.

4. In the facts and circumstances of the case, the 2nd respondent is directed to pass appropriate orders on the proposal dated 15.6.2013 of the 3rd respondent relating to the appointment of the petitioner as Junior Assistant/Bill Collector within a period of twelve weeks from the date of receipt of copy of this order.

5. The writ petition is disposed of accordingly. However, there is no order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

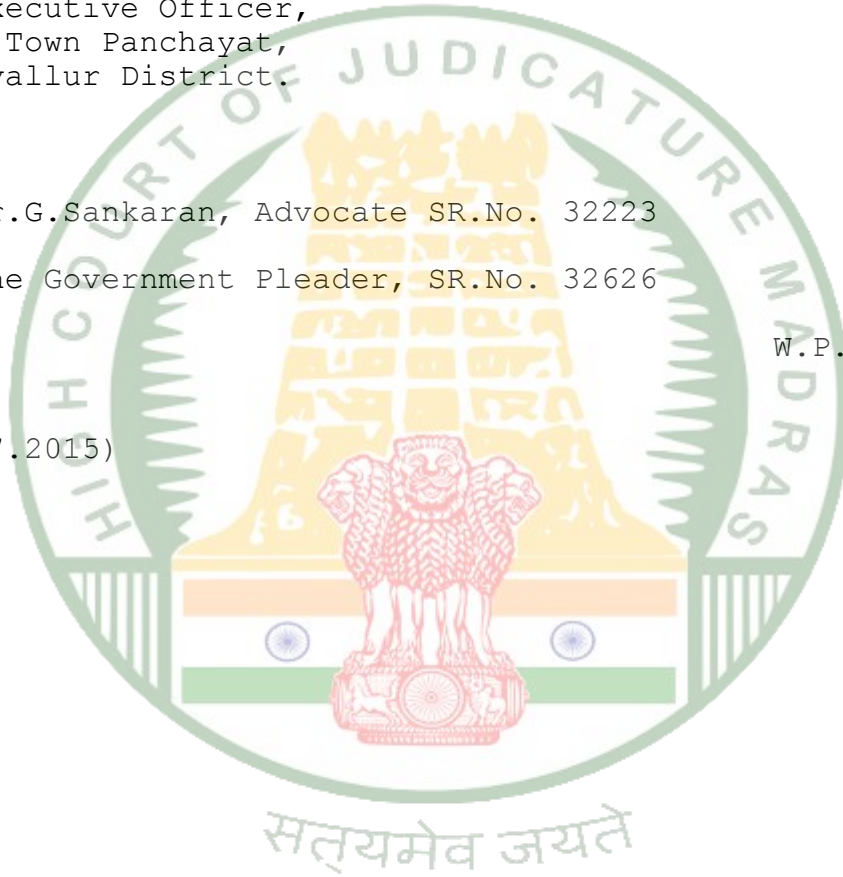
1. The Principal Secretary to Government
Municipal Administration and Water Supply Department,
Secretariat, State of Tamil Nadu, Fort St. George,
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2. The District Collector,
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Thiruvallur
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Arani Town Panchayat,
Thiruvallur District.

1 CC to Mr.G.Sankaran, Advocate SR.No. 32223

1 CC to the Government Pleader, SR.No. 32626

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KSJ (CO)
PSI (08.07.2015)



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