

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.22705 of 2015

R.Gobinath

... Petitioner

Vs.

1. The District Collector,
Ariyalur District,
Ariyalur.

2. The Tahsildar,
Jayamkondam,
Ariyalur.

... Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus to direct the first respondent to grant compassionate appointment to the petitioner.

For Petitioner : Mr.R.Thiagarajan

For Respondents: Mr.S.Navaneethan,AGP

ORDER

This writ petition has been filed by R.Gobinath under Article 226 of the Constitution of India seeking a direction to the first respondent to grant compassionate appointment to the petitioner.

2. Learned counsel appearing for the petitioner would submit that the petitioner's father late Ramanujam worked as Village Administrative Officer and died on 1.6.2002 while in service leaving behind his mother, his brother - Premnath and the petitioner as legal heirs. At the time of his father's death, the petitioner's family was in severe financial difficulties. Therefore, the petitioner filed an application on 2.7.2002 along with all necessary documents for appointing him on compassionate grounds. Although repeatedly representations followed by reminders were sent to the 1st respondent - District Collector, Ariyalur District, no response was forthcoming. Finally, Tahsildar, Jayamkondam in his proceedings viz., dated 30.6.2014 called upon the petitioner to appear for enquiry with relevant documents on 12.8.2014. Accordingly, the petitioner also

appeared before the Tahsildar, Jayamkondam and produced all the relevant documents. Thereafter, enquiry was also conducted by the Revenue Inspector and the petitioner's mother and his brother Mr.Premnath also have given their consent saying no objection for the petitioner's appointment on compassionate grounds. Only after detailed enquiry, a report was submitted by the Revenue Inspector to the Tahsildar on 22.8.2014. The Tahsildar, Jayamkondam by proceedings dated 4.12.2014 recommenced the case of petitioner to the 1st respondent. But till date, there is no further response. Hence, the present writ petition is filed by the petitioner.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. In the light of the facts and circumstances of the case, as the report dated 22.8.2014 was submitted by the Revenue Inspector to the 2nd respondent - Tahsildar, Jayamkondam and the 2nd respondent recommended the case of petitioner to the 1st respondent for appointment of petitioner by proceedings dated 4.12.2014, this Court finds no impediment to direct the 1st respondent - District collector, Ariyalur to consider the case of the petitioner for compassionate appointment.

5. Accordingly, the 1st respondent is hereby directed to consider the case of petitioner for compassionate appointment and pass orders within a reasonable time, preferably within a period of three months from the date of receipt of copy of this order.

5. The writ petition stands disposed of accordingly. No costs.

Sd/-/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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To

1. The District Collector,
Ariyalur District,
Ariyalur.

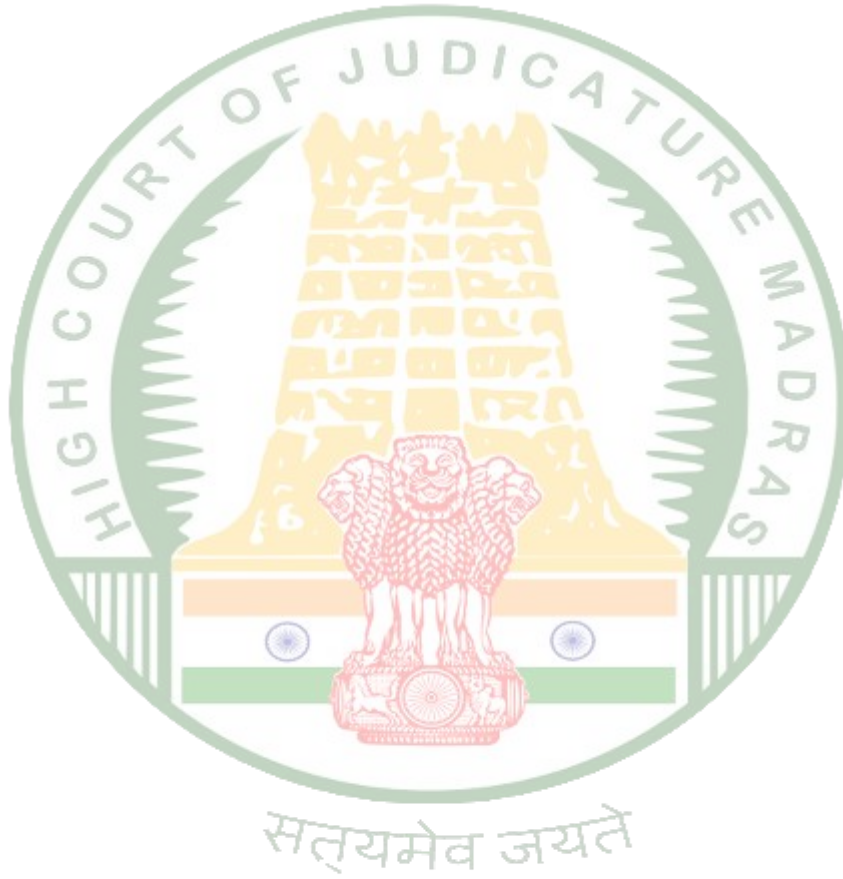
2. The Tahsildar,
Jayamkondam,
Ariyalur.

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+1 cc to Government Pleader sr.38718
+1 cc to Mr.R.Thiayarajan Advocate sr.38854

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