

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2015

CORAM

The Honourable Mr.JUSTICE M.SATHYANARAYANAN

Writ Petition No.33622 of 2015
and M.P.No.1 of 2015

B.Rani

.... Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai - 600 003.

2. The Zonal Officer,
Zonal Office-8,
Shenoy Nagar,
Pulla Avenue,
Chennai - 600 030.

.... Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of Writ of Mandamus directing the first respondent to issue appointment order to the petitioner's unmarried daughter B.Ramya on compassionate grounds to any post at the Corporation of Chennai Office.

For Petitioner : Mr.M.Liagat Ali

For Respondents: Mr.G.Anantha Rangan
for Chennai Corporation.

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. The petitioner's husband, aged about 46 years, while working as Road Inspector in the services of the Corporation of Chennai in Division No.63, Zone No.4, Unit No.11, died in harness on 17.05.2007. The petitioner would state that her only daughter B.Ramya, aged about 27 years, is trying her level best to get the compassionate appointment right from the year 2007 to till date. Her daughter has passed B.A. (Tamil Literature) with first class and B.A.(Hindi Literature) as well as Diploma in

Sanskrit. She also passed English and Tamil Typewriting with high distinction and also has good working knowledge in computers. She also possesses very many qualifications for getting appointment in any one of the suitable posts in the services of the respondent Corporation and since her attempts proved futile so far, the petitioner came forward to file this Writ Petition.

3. Learned counsel appearing for the petitioner has invited the attention of this Court to the typed set of papers filed and would submit that the petitioner's mother as well as her daughter has filed O.P.No.711 of 2013 under Indian Succession Act before this Court and they were also issued with a certificate dated 03.03.2015 enabling them to receive the terminal and other benefits. But so far, it has not been disbursed and adding salt to the wound, the application given for compassionate appointment to the daughter of the petitioner was also returned stating that she has to obtain orders from this Court and hence, the petitioner is constrained to approach this Court.

4. Heard the submissions of the learned counsel appearing for the petitioner and Mr.G.Anantharangan, learned Standing Counsel, who accepts notice on behalf of the respondents.

5. It is not in serious dispute that the petitioner is the wife of the deceased, who died in harness on 17.05.2007 and so also the status of the daughter of the petitioner, namely, B.Ramya. This Court in O.P.No.711 of 2013 has also issued succession certificate on 03.03.2015 to enable the petitioner as well as her daughter to receive certain benefits from the Corporation of Chennai. Therefore, in the light of the above facts and circumstances, this Court is unable to comprehend the reason for the second respondent sending the communication dated 23.09.2015 to the petitioner, wherein it has been stated that the petitioner has to approach this Court and get an order, as the succession certificate issued by this Court did not say that the petitioner has to be offered with employment on compassionate ground.

6. The above cited communication sent by the second respondent would exhibit total non-application of mind to the above facts and circumstances.

7. In the result, the Writ Petition is disposed of and respondents 1 and 2 are directed to consider the application of the petitioner for giving compassionate appointment to the daughter of the petitioner, namely, B.Ramya in accordance with

the Rules/Regulations/norms, take a decision and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. No costs. Consequently, M.P.No.1 of 2015 is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner,
Corporation of Chennai,
Ripon Buildings,
Chennai - 600 003.

2. The Zonal Officer,
Zonal Office-8,
Shenoy Nagar,
Pulla Avenue,
Chennai - 600 030.

+1cc to Mr.G. Anantha Rangan, Advocate, S.R.No.57375
+1cc to Mr.M. Liagat Ali, Advocate, S.R.No.57402

TS(CO)
EU(03/11/2015)

सत्यमेव जयते

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