

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2015

CORAM

THE HON'BLE Mr. JUSTICE K.KALYANASUNDARAM

W.P.No.36160 of 2015

Sivalakshmi

... Petitioner

vs.

1. The District Collector,  
Tiruppur District,  
Tiruppur.

2. The Commissioner,  
Kundadam Panchayat Union,  
Kundadam, Tiruppur District.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the first respondent to consider the representation dated 07/01/2013 seeking appointment on compassionate grounds in terms of the Government Orders issued in G.O.Ms.No.96 Labour & Employment Department dated 18.06.2012.

For Petitioner : Mr.S.Kamadevan

For Respondents : Mr.V.Jayaprakash Narayanan, SGP (R1)  
Mr.R.Rajeswaran (R2)

O R D E R

Mr.V.Jayaprakash Narayanan, learned Special Government Pleader takes notice for the first respondent and Mr.R.Rajeswaran, learned counsel takes notice for the second respondent. By consent, the writ petition is taken up for final disposal at the time of admission itself.

2.The petitioner filed this writ petition, seeking a writ of Mandamus, directing the first respondent to consider her representation dated 07/01/2013 seeking appointment on compassionate grounds in terms of the Government Orders in G.O.Ms.No.96 Labour & Employment Department dated 18.06.2012.

3.It is the case of the petitioner that her father by name Mylsamy was working as Road Worker in the second respondent Panchayat Union. Her father died, while in service on

04.04.2000, leaving behind his wife, daughter and son. Thereafter, the petitioner applied for appointment on compassionate grounds on 19.02.2001. Pursuant to the same, the respondents called for information about the indigent circumstances of the family after the death of the sole bread winner. After taking note of the eligibility and family circumstances, the first respondent informed that the petitioner has been kept in the list of eligible persons to get appointment on compassionate grounds and her seniority was in sl.no.2. Thereafter, the claim of the petitioner was rejected on the ground that she got married, pending consideration of her application.

4.It is the further case of the petitioner that as per G.O.Ms.No.165 Labour and Employment (Q2) department dated 30.08.2010 and G.O.Ms.No.96 Labour and Employment (Q1) Department dated 18.06.2012, married daughters are also eligible for appointment on compassionate grounds, as such, the petitioner is entitled for appointment. However, the representation dated 07.01.2013 sent by the petitioner was not considered by the first respondent. Hence, the present writ petition.

5.Heard the learned counsel for the petitioner and the learned counsel for the respondents 1 and 2.

6.Considering the limited scope of the prayer sought for herein, this Court directs the first respondent to consider the petitioner's representation dated 07.01.2013 and pass appropriate orders on merits and in accordance with law and also in the light of G.O.Ms.No.165 Labour and Employment (Q2) department dated 30.08.2010 and G.O.Ms.No.96 Labour and Employment (Q1) Department dated 18.06.2012, within a period of 12 weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

7.The writ petition is disposed of accordingly. No costs.

rk

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The District Collector,  
Tiruppur District,  
Tiruppur.

2. The Commissioner,  
Kundadam Panchayat Union,  
Kundadam, Tiruppur District.

+ 1 cc to Mr.S.Kamadevan, Advocate SR 61527

+ 1 cc to Govt.Pleader SR 61788

ctk(co)  
prk1/12

WP.No.36160 of 2015



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