



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2015

CORAM:

THE HONOURABLE Mr.JUSTICE D.HARIPARANTHAMAN

W.P.(MD)No.21784 of 2015

M.Ganapathisubramanian

...Petitioner

Vs.

1.The Joint Director of School Education,
College Road, Nungambakkam,
Chennai - 6.

2.The District Educational Officer,
O/o the District Educational Officer,
Tututicorine District.

3.The Assistant Elementary Educational Officer,
Karunkulam, Seydunganallur,
Tuticorin District.

4.The Director of School Education,
Nungambakkam,
Chennai.

(The 4th respondent is impleaded by order
dated 07.12.2015 in W.P.(MD)No.21784 of 2015)

...Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to consider the claim of the petitioner and appoint him in the post of Junior Assistant or any other post on compassionate ground within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathiroy
For Respondents : Mr.T.S.Md.Mohideen, AGP

O R D E R

The prayer in the Writ petition lies in a narrow compass. The father of the petitioner was working as Additional Assistant Elementary Educational Officer at Karungulam, Tuticorin District. He rendered 25 years of service and he died on 09.05.1995 while he was in service. An application was made by the petitioner to the 3rd respondent to provide compassionate appointment. The 1st respondent by a communication in O.Mu.No.111403/J-4/98, dated 05.11.1998 stated that the petitioner's rank is at Serial No.1321 for providing compassionate appointment.

2.The grievance of the petitioner is that the juniors to the petitioner in the seniority list for compassionate appointment have been given compassionate appointment. The petitioner made a representation dated 07.11.2015 in this regard. Thereafter, by a proceedings in O.Mu.No.111403/J-4/98, dated 05.11.1998, passed by the 2nd respondent stating that the issue relating to compassionate appointment to the petitioner due to the death of his father is under consideration and

appropriate order is to be made to the Director of School Education and necessary orders would be passed as soon as the Director of School Education passes appropriate orders in this regard.

3. In these circumstances, the Director of School Education, College Road, Nungambakkam, Chennai is suo motu impleaded as 4th respondent in view of the proceedings dated 30.04.2002 of the 2nd respondent. The Writ petition is disposed of. The impleaded respondent namely, the 4th respondent/Director of School Education is directed to pass orders relating to the compassionate appointment of the petitioner, within a period of 8 weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar(CS)

To

1. The Joint Director of School Education,
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Chennai - 6.

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3. The Assistant Elementary Educational Officer,
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Tuticorin District.

4. The Director of School Education,
College Road, Nungambakkam,
Chennai.

+1cc to Mr.T.Lajapathi Roy, Advocate in SR.69919

+1cc to the Special Government Pleader in SR.69989

W.P. (MD) No.21784 of 2015
07.12.2015

NBJ

PBK/PM-MP/SAR-II 06.01.2016 ::2P-7C: