



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2015

C O R A M

WEB COPY

THE HONOURABLE Mr. JUSTICE S.VAIDYANATHAN

Writ Petition (MD)No.4691 of 2015

S.Muthu Revathi

... Petitioner

Vs.

1.The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai.

2.The Director,
Health and Family Welfare Department,
Chennai.

3.The Deputy Director,
Medicine Rural and Family Welfare Department, Madurai.

4.The District Collector,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to give appointment to the petitioner on compassionate ground in any one of the government departments in the light of the order dated 01.08.2011 passed in W.P(MD)No.8299 of 2011 on the file of this Court and consequent communications dated 31.01.2014 and 21.05.2014 issued by the second respondent and fourth respondent respectively within a time frame as fixed by this Court and thus render justice.

For Petitioner : Mr.B.Prahalad Ravi for
M/s Hallmark Associates

For Respondents : Mr.K.P.Krishnadoss
Government Advocate

O R D E R

This Writ Petition has been filed seeking issuance of a Writ of Mandamus to direct the respondents to give appointment to the petitioner on compassionate ground in any one of the government departments in the light of the order dated 01.08.2011 passed in W.P(MD)No.8299 of 2011 on the file of this Court and consequent communications dated 31.01.2014 and 21.05.2014 issued by the second respondent and fourth respondent respectively within a time frame as fixed by this Court.

2.The learned counsel for the petitioner would submit that the petitioner has already filed a Writ Petition in W.P.(MD) No.8299 of 2011 seeking compassionate appointment and this Court passed an order on 01.08.2011 which reads as under:

<https://hcservices.ecourts.gov.in/hcservices/>

11.In view of the above, this Court is inclined to set aside the impugned order and accordingly, set aside and the writ



petition is allowed. The respondents are directed to consider the application of the petitioner on merits and in accordance with law, as expeditiously as possible. No costs. Consequently, connected Miscellaneous Petition is closed."

3. Pursuant to the above order, the petitioner made a representation to the second respondent/The Director of Health and Family Welfare Department, Chennai who has considered the said representation and sent a communication to the fourth respondent recommending the name of the petitioner for compassionate appointment depending upon the seniority. The second respondent has also enclosed all the relevant documents to the fourth respondent, as could be seen from the last paragraph of the communication dated 31.01.2014. Though the fourth respondent has sent a letter to the second respondent marking a copy to the petitioner stating that he did not receive any communication from the second respondent, he has referred to the communication of the second respondent dated 31.01.2014. When the second respondent has enclosed all the documents as could be seen from her letter dated 31.01.2014, the fourth respondent has stated that he has not received any records from the second respondent as referred to in the letter dated 31.01.2014. Therefore, this Court directs the second respondent to forward a copy of the letter dated 31.01.2014 along with the enclosures to the fourth respondent once again within a period of one week from the date of receipt of a copy of this order. On receipt of such letter along with enclosures, the fourth respondent shall consider the case of the petitioner and pass appropriate orders within a period of three weeks thereafter.

4. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To,

1. The Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai.

2. The Director,
Health and Family Welfare Department, Chennai.

3. The Deputy Director,
Medicine Rural and Family Welfare Department, Madurai.

4. The District Collector,
Madurai District.

+1cc to Mr. B. Prahalad Ravi, Advocate in SR.No. 17276

+1cc to Special Government Pleader in SR.No. 17365