



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2015

CORAM :

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

WEB COPY

Writ Petition (MD) No.19975 of 2013

E.Subbulakshmi

... Petitioner

Vs.

1.The Commissioner,
Social Welfare Department,
Chepauk,
Chennai 5.

2.The District Collector,
Tirunelveli District,
Tirunelveli.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the order dated 31.05.2011 passed by the second respondent in Na.Ka.No.9/22466/2011 (Na.Ka.no.9/224466 and quash the same and further directing the respondents herein to appoint the petitioner to the post of Noon Meal Assistant under compassionate appointment.

For Petitioner

: Mr.D.Nallathambi

For Respondents

: Mr.S.Kumar,
Additional Government Pleader.**ORDER**

The petitioner is aggrieved against the order of the second respondent rejecting her request seeking for compassionate appointment.

2.The second respondent rejected the request mainly on the ground that the petitioner's father worked in Rural Welfare Department and died on 07.01.1990 whereas the petitioner is seeking for compassionate appointment in the Social Welfare Department. Therefore, the second respondent contended that there cannot be any appointment in a different Department even if it is on compassionate ground. I do not find any error in the reasoning of the second respondent as admittedly, the petitioner's father worked only in the Rural Welfare Department. Therefore, it is for the petitioner to make proper application to the concerned authority in the Rural Welfare Department who in turn will consider the same not as a fresh application and on the other hand, as a continuation of the earlier application filed by the petitioner before the Social Welfare Department.

3. Accordingly, this writ petition is disposed of by giving liberty to the petitioner to make such application within a period of four weeks from the date of receipt of a copy of this order. On receipt



of the same, the competent authority shall pass appropriate orders on merits and in accordance with law as expeditiously as possible. No costs.

Sd/-
Assistant Registrar(AE)

\\True copy\\

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Sub Assistant Registrar

To

1.The Commissioner,
Social Welfare Department,
Chepauk,
Chennai 5.

2.The District Collector,
Tirunelveli District,
Tirunelveli.

+1 CC TO M/S.D.NALLATHAMBI, ADVOCATE SR.NO.9867

+1 CC TO THE SPL.GOVT.PLEADER SR.NO.9938

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SMS

NA/04/03/2015/P2/5C(IT)