

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.15516 of 2016

A.Manickavasagam

.. Petitioner

-vs-

1. The Director of School Education
DPI Campus, College Road
Chennai 600 006
2. The District Educational Officer
Seranmadevi, Thirunelveli District. ... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second respondent herein to consider the application of the petitioner seeking for compassionate appointment pursuant to the proceedings of the first respondent dated 13.02.2015 by taking into consideration the fact that the application for compassionate appointment was made within three years from the date when the petitioner's father died/within three years from the date when the petitioner attained majority.

For Petitioner ::Mrs.Dakshayani Reddy

For Respondents ::Mr.S.Gunasekaran
Additional Government Pleader

ORDER

The petitioner has come to this Court seeking a writ of mandamus, directing the second respondent to consider the application of the petitioner dated 23.1.92 for compassionate appointment after attaining majority, since his father late Annainchaperumal while serving as Junior Elementary Teacher in the Panchayat Union Primary School, Chettikulam Pudumanai, Tirunelveli District died on 1.11.81 while in service, taking into account the application submitted by his mother on 27.9.84. After several communications, the Assistant Elementary Educational Officer, Variyur, Tirunelveli District has also forwarded the same to the District Educational Officer, Cheranmahadevi. Even thereafter, one another communication dated 26.8.2014 issued by the Director of School Education, Chennai

shows that the District Educational Officer, Cheranmahadevi was instructed to consider the case of the petitioner. Finally, by the proceedings dated 13.2.2015, the first respondent-Director of School Education, Chennai has again instructed the District Educational Officer, Cheranmahadevi to consider the case of the petitioner for compassionate appointment and take appropriate action in the light of the Government Orders in vogue. In spite of the aforementioned proceedings, it has been complained by the learned counsel for the petitioner that no fruitful results have taken place.

2. Although Mr.S.Gunasekaran, learned Additional Government Pleader, taking notice on behalf of the respondents, sought time to take instructions, the record shows that even the first respondent-Director of School Education, by the proceedings dated 13.2.2015, has instructed the second respondent-District Educational Officer, Cheranmahadevi to consider the case of the petitioner and take appropriate action. Therefore, this Court finds no impediment to direct the second respondent to consider the case of the petitioner for compassionate appointment in the light of the aforementioned proceedings issued by the first respondent. Accordingly, the second respondent is directed to consider the application of the petitioner for compassionate appointment, in the light of the proceedings issued by the first respondent, and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner. With the above direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

To

WEB COPY

1. The Director of School Education,
DPI Campus,
College Road,
Chennai 600 006.

2. The District Educational Officer,
Cheranmahadevi,
Tirunelveli District.

+1cc to M/S.Dakshayani Reddy, Advocate Sr.27225
+1cc to the Government Pleader Sr.26811

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mp[co]
srg 26/05/2016



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