

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WP.No.16967 of 2014

&

MP.No.1/2015

T.Rugmoni

Petitioner

Vs

1.The District Collector, Salem

2.The Assistant Director, Ex-Servicemen Welfare  
Salem 636007

3.The Municipality Engineer and Commissioner  
Edapadi Municipality, Salem

4.The Municipality Engineer and Commissioner  
Mettur Municipality, Salem

Respondents

Prayer:- This Writ Petition is filed to issue a Writ of Mandamus to direct the Respondents to materialize the direction in Na.Ka.No.14341/2012/A4 dated 15.7.2013 of the 1st Respondent with regard to the compassionate appointment of the Petitioner or otherwise to take any other appropriate steps to provide compassionate appointment to the Petitioner in any other Government Departments in accordance with her qualification.

For Petitioner : Mr.M.Elango

For Respondent : Mrs.M.E.Raviselvam, AGP-RR1&2  
Mr.Pratapsingh-R3  
Mr.S.Saravanan-R4

ORDER

In this Writ Petition, the Petitioner seeks for appointment on compassionate grounds in accordance with her qualification and based on the recommendation of the 1st Respondent dated 15.7.2013.

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. The Petitioner is the widow of her deceased husband, who died while he was in army service. She has made an application for compassionate appointment. The 1st Respondent has, by proceedings dated 15.7.2013, while referring to various other similarly placed persons for compassionate appointment, recommended that the Petitioner may also be considered for compassionate appointment based on her qualification and after getting necessary details from the authorities. In fact, the name of the Petitioner also finds a place at S.No.5 in the annexure to the recommendation of the 1st Respondent. In spite of the same, the said direction of the 1st Respondent has not been complied with by the other Respondents.

4. The similarly placed person, whose name found a place at S.No.3 of the said annexure to the recommendation of 1st Respondent, has filed WP.No.2853 of 2014, which was disposed of by this court by order dated 23.6.2014, directing the 1st Respondent to consider the case of the Petitioner therein on compassionate grounds and to form an appropriate scheme for the dependents of the members of the armed forces, hailing from Tamil Nadu, who die while in service either in action or otherwise. Hence, following the same, in the case on hand, the 1st Respondent is directed to consider the Petitioner herein for appointment on compassionate grounds after verifying as to whether the Petitioner requires such compassion on account of her family circumstances within a period of four months from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of. No costs.

-s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

Srcm

To:

1.The District Collector, Salem

2.The Assistant Director, Ex-Servicemen Welfare  
Salem 636007

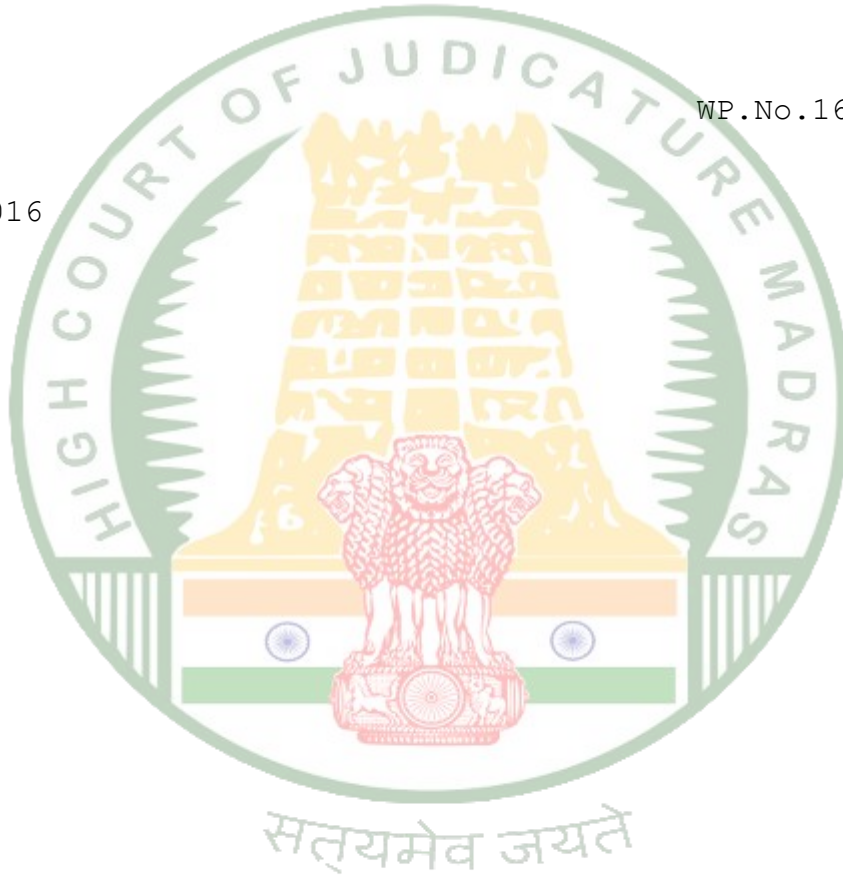
3.The Municipality Engineer and Commissioner  
Edapadi Municipality, Salem

4.The Municipality Engineer and Commissioner  
Mettur Municipality, Salem

+1 cc to M/s.M.Elango Advocate sr48197  
+1 cc to M/s.S.Saravanan Advocate sr 48109  
+1 cc to Government pleader sr 48255

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