

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.33092 of 2016

R.Padmavathy

... Petitioner

Vs.

1 Director General of Police
Office of Director General,
Mylapore, Chennai - 600 004.

2 The Commissioner of Police,
Office of Commissioner of Police,
Vepery, Chennai - 600 007.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the Application of the petitioner dated 06.06.2016 for appointment on compassionate Grounds.

For Petitioner : Mr.A.P.Peter Guna Sekaran

For Respondents : Mr.S.Gunasekaran

Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The present writ petition has been filed seeking a Mandamus directing the respondents to consider the Application of the petitioner dated 06.06.2016 for appointment on compassionate Grounds.

3.The petitioner's father was serving in Chennai City Police and was removed from service in P.R.No.128/PR.I (2) (94 under Rule 3(b) of T.N.P.S.S.(D & A) Rules, 1955, against which the petitioner's father filed O.A.No.6462 of 1995 before the Tamil Nadu Administrative Tribunal and before final order was passed in the said O.A., her father expired on 04.08.1996. Thereafter, her mother was impleaded as a party in the said O.A. and the order of removal was set aside by the Tribunal vide, order dated 16.04.2004.

4.Immediately, after the demise of the petitioner's father, her mother sent a representation to the first respondent for an appointment on Compassionate grounds. The petitioner was a minor at the time of her father's demise. The petitioner's mother has also filed W.P.No.27800 of 2004 praying for a direction to the respondents to implement the orders of the Tribunal made in O.A.No.6462 of 1995 and consequently, to direct the respondents to disburse the terminal benefits to the petitioner and after order of this Court, the respondents sanctioned the terminal benefits of the petitioner's father.

5.The petitioner, after attaining majority sent a representation dated 06.06.2016 to the respondents seeking appointment on Compassionate grounds and though it has been received and acknowledged by the respondents, the same has not been considered. Hence, this petition.

6.Heard the submissions of the learned counsel appearing for the petitioners and the learned Additional Government Pleader who takes notice for the respondents.

7.Considering the submissions made on either side and without going into the merits of the claim made by the petitioner, this Court directs the respondents to consider the petitioner's representation dated 06.06.2016, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

8.It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner and it is for the respondents to decide the matter, purely on merits.

9.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(J)

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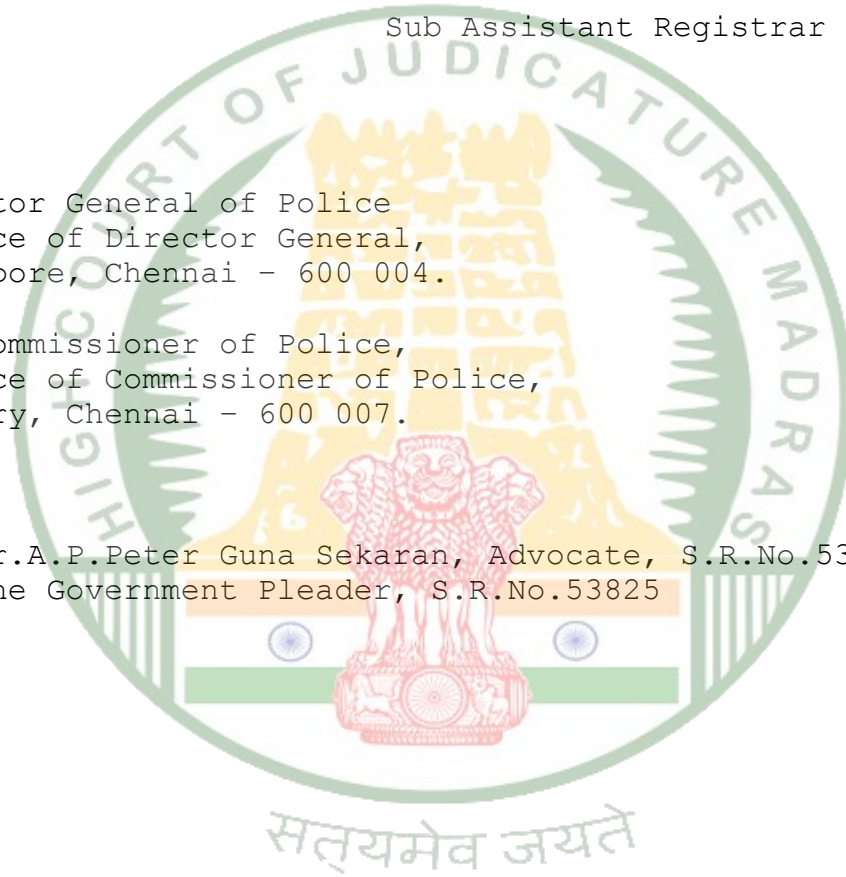
Sub Assistant Registrar

To

1 Director General of Police
Office of Director General,
Mylapore, Chennai - 600 004.

2 The Commissioner of Police,
Office of Commissioner of Police,
Vepery, Chennai - 600 007.

+1cc to Mr.A.P.Peter Guna Sekaran, Advocate, S.R.No.53409
+1cc to the Government Pleader, S.R.No.53825



W.P.No.33092 of 2016

(CO) AK
CP(24/10/2016)

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