

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2016

CORAM

THE HONOURABLE MR. **JUSTICE R.SUBBIAH**

Writ Petition No.33709 of 2016

Shanthi

... Petitioner

vs.

1. The Director of Town Panchayats,
Kuralagam Buildings, Chennai-108.

2. The Collector, Vellore District.

3. The Executive Officer,
Shollinger Town Panchayat.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the 2nd and 3rd respondents to consider the claim of compassionate appointment to any suitable post based on the petitioner eligibility.

For Petitioner : Mr.P.I.Thirumoorthy

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

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the 2nd and 3rd respondents to consider the claim of compassionate appointment to any suitable post based on the petitioner eligibility.

2. The case of the petitioner is that she is the elder daughter of the deceased Chandran who was an employee of the 3rd respondent Town Panchayat. Her father died on 30.05.2013 leaving her, her mother and her two sisters, namely, Jancy Rani and Porsilai as his legal heirs. The petitioner got married with one Sadasivam 12 years back. Since her mother is not interested in seeking job on compassionate ground, the petitioner approached the respondents 2 and 3rd respondent by submitting an application dated 04.09.2014 on the ground that the married daughters are also eligible to apply for compassionate appointment. But the same is pending. Hence, the present Writ Petition.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who has taken notice on behalf of the respondents.

4. In an identical circumstance, this Court in W.P.No.40743 of

2015 by order dated 13.05.2016, by citing various judgments of this Court, directed the respondent therein to provide compassionate appointment to the petitioner therein, if she is otherwise eligible, without reference to marriage.

5. Following the same, without expressing any opinion on the merits of the claim made by the petitioner, the 2nd and 3rd respondents are directed to consider the claim of compassionate appointment to any suitable post based on the petitioner eligibility on merits and also in accordance with law and also considering the dictum made in W.P.No.40743 of 2015 dated 13.05.2016, within a period of six weeks from the date of receipt of a copy of this Order.

6. The Writ Petition is disposed of accordingly. No costs.

03.10.2016

Index:Yes/No
tsi

R.SUBBIAH, J
tsi

To

1. The Director of Town Panchayats,
Kuralagam Buildings, Chennai-108.
2. The Collector, Vellore District.
3. The Executive Officer,
Shollinger Town Panchayat.

W.P.No.33709 of 2016

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