

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.34692 of 2016

P.Stalin

... Petitioner

vs.

1. The District Collector,
Kancheepuram District,
Kancheepuram.
2. The Tahsildar,
Chengalpattu, Kancheepuram District. ... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the 2nd respondent to consider the petitioner's claim for appointment on compassionate grounds, consequent on the death of his father Thiru Prithiviraj, on 26.06.2013, while serving as Night Watchman in Taluk Office, Chengalpattu, Kancheepuram District, in the light of his application dated 26.11.2014 and the letter Na.Ka.No.3750/2015/A2 dated 26.06.2015 and 09.10.2015 to the 1st respondent.

For Petitioner : Mr.V.Thirupathi
For Respondents : Mr.S.N.Parthasarathi,
Government Advocate

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the 2nd respondent to consider the petitioner's claim for appointment on compassionate grounds, consequent on the death of his father Thiru Prithiviraj, on 26.06.2013, while serving as Night Watchman in Taluk Office, Chengalpattu, Kancheepuram District, in the light of his application dated 26.11.2014 and the letter Na.Ka.No.3750/2015/A2 dated 26.06.2015 and 09.10.2015 to the 1st respondent.

2. The case of the petitioner is that his father S.Prithviraj, who joined service as Masalchi-cum-Night Watchman, on 07.03.1991, at the Office of the Assistant Collector, Chengalpattu, expired on

26.06.2013, while in service, leaving behind him, his wife Ruby and his daughter Stella as his legal heirs. In the above circumstances, the petitioner made a written representation dated 01.12.2014 to the District Collector, Kancheepuram in CG/14/11455 dated 01.12.2014 requesting to grant appointment to him on compassionate grounds as he has passed B.Com. and MBA Degrees. Based on the same, the Tahsildar, Chengalpattu, obtained his application along with his educational qualification Certificates, Community Certificate, Death Certificate of his father, Legal Heirship Certificate and No Objection Certificate issued by his mother and his sister and the Combined Certificate issued by Tahsildar and the same were submitted to the 1st respondent and by letter No.Na.Ka.3750/2015/A2 dated 19.10.2015, further report was submitted to the 1st respondent. But, so far, no action has been taken on the same. Hence, the present Writ Petition.

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

4. Considering the facts and circumstances of the matter, without going into the merits of the claim made by the petitioner, this Court directs the 2nd respondent to consider the petitioner's claim for appointment on compassionate grounds, consequent on the death of his father Thiru Prithiviraj, on 26.06.2013, while serving as Night Watchman in Taluk Office, Chengalpattu, Kancheepuram District, in the light of his application dated 26.11.2014 and the letter Na.Ka.No.3750/2015/A2 dated 26.06.2015 and 09.10.2015 to the respondent and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this Order.

5. With the above direction, the present writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

tsi
To

1. The District Collector,
Kancheepuram District,
Kancheepuram.

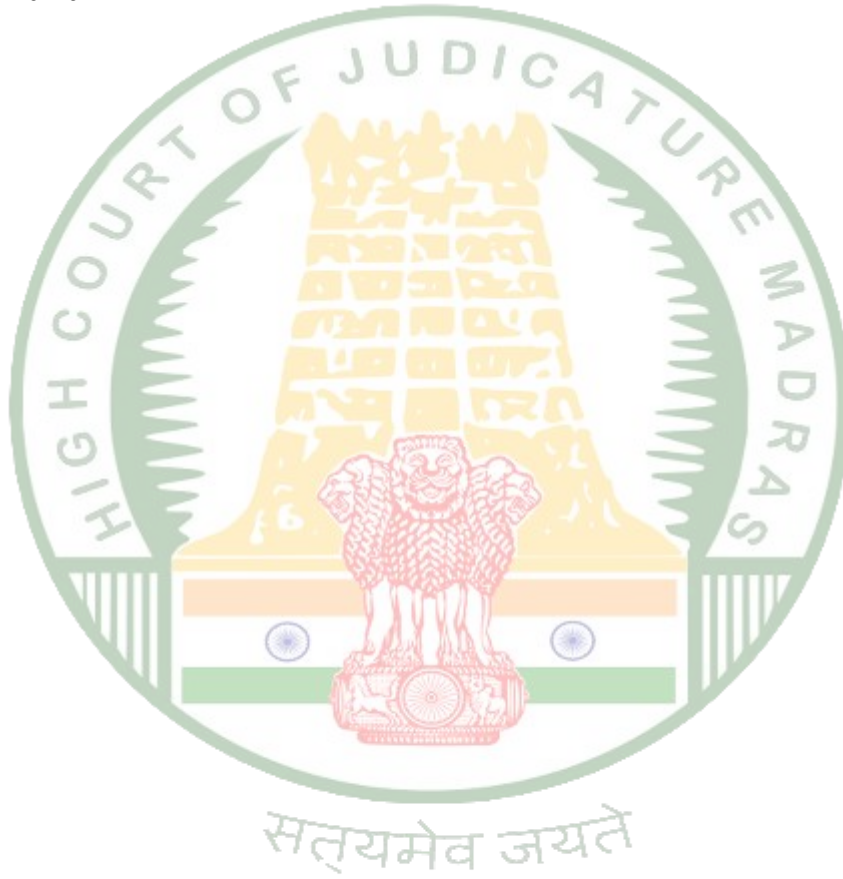
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2. The Tahsildar,
Chengalpattu, Kancheepuram District.

+1cc to Mr.V.Thirupathi, Advocate, S.R.No.59122
+1cc to the Government Pleader, S.R.No.58614

W.P.No.34692 of 2016

rv(co)
pmk.12.11.2016



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