

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.36217 of 2016

T.Kesavan

... Petitioner

Vs.

1 The Secretary to Government
Labour and Employment Department
Secretariat,
Chennai 9.

2 The Director of School Education,
College Road,
Chennai 6.

3 The District Educational Officer,
Gobichettipalayam.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to dispose of the petitioner's appeal dated 30.07.2016.

For Petitioner : Mr.S.Vijayakumar

For Respondents : Mr.N.Srinivasan

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 dispose of the petitioner's appeal dated 30.07.2016.

3.The petitioner would state that he is the eldest son of the deceased Madheswari, who was working as Tamil Teacher in the Government Boys High School, Koundapadi. The petitioner would further state that after his mother's death, since he is a Graduate and none of the legal heirs are employed in any of the Government departments, he submitted an application/ representation on 09.12.2011 to the respondents, for appointment on compassionate grounds, enclosing all relevant documents including the certificate issued by the Revenue Department, but the third respondent vide communication dated 11.06.2014 informed him that the certificate issued by the Revenue authorities did not enclose the details regarding the immovable property and as such, it was not considered.

4.The petitioner would further state that aggrieved by the order of the third respondent, he made appeal/ representation to the respondents and since there was no response, he sent a final appeal/ representation dated 30.07.2016 and since none of them were considered, came forward to file this writ petition.

5.Heard the submissions of the learned counsel appearing for

the petitioner and the learned Additional Government Pleader who takes notice for the respondents.

6.Considering the submissions made on either side and without going into the merits of the claim made by the petitioner, this Court directs the petitioner to give a copy of the appeal/ representation dated 30.07.2016 along with a copy of this order, to the second respondent, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the second respondent is directed to consider the said appeal/ representation, with regard to providing of appointment on compassionate grounds and pass appropriate orders, on merits and in accordance with law, within a period of six weeks thereafter.

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

18.10.2016

pri

Index: Yes/ No Internet: Yes/ No

R.SUBBIAH,J.

pri

To

- 1 The Secretary to Government
Labour and Employment Department
Secretariat,
Chennai 9.
- 2 The Director of School Education,
College Road,
Chennai 6.
- 3 The District Educational Officer,
Gobichettipalayam.

W.P.No.36217 of 2016

18.10.2016