

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.37212 of 2016

And

W.M.P.No.31956 of 2016

M.Kannan

... Petitioner

Vs.

The Tamilnadu Housing Board Rep. by
The Managing Director,
Tamilnadu Housing Board,
Nandanam,
Chennai - 35.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to provide compassionate appointment to the petitioner to any post to which he is eligible in the respondent Board.

For Petitioner : Mr.R.Singaravelan

Senior Counsel

for M/s.Srividhya

For Respondent : Mr.V.Ananthamoorthy

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 respondent to provide compassionate appointment to the petitioner to any post to which he is eligible in the respondent Board.

3.The petitioner would state that his father who was in service as a Watchman passed away while he was in service on 15.01.2001 after putting in 11 years 4 months and 4 days of service from 11.09.1989 to 15.01.2001. Immediately, after the petitioner's father's death, his mother submitted an application for appointment on compassionate grounds and the same was returned with a direction to get a succession certificate from

the competent Court. Accordingly, a petition was filed and a favourable order was also obtained and his father's LIC amount, Family Welfare Fund and Provident Fund were also paid to his mother. However, the petitioner's mother was not able to get any job.

4.The petitioner would further state that as per the Scheme for Compassionate appointment and the Government Orders, the petitioner submitted an application to the respondent for compassionate appointment within three years from the date of attaining majority at the end of the year, 2014 and since no action was taken, he once again submitted an application dated 06.10.2016, but they have not been considered so far. Hence, this petition.

5.Heard the submissions of the learned counsel appearing for the petitioner and the learned Additional Government Pleader who takes notice for the respondent.

6.Considering the submissions made on either side and without going into the merits of the claim projected by the petitioner, this Court directs the petitioner to give a copy of the representation dated 06.10.2016, along with a copy of this order and the relevant documents to the 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 respondent is directed to consider the claim of the petitioner and pass appropriate orders, on merits and in accordance with law, within a period of four weeks thereafter.

7.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To
The Tamilnadu Housing Board Rep. by
The Managing Director,
Tamilnadu Housing Board,
Nandanam, Chennai - 35.

+1 cc to ms.M.Srividhya, advocate, sr.60896

+1 cc to Mr.V.Ananthamoorthy, advocate, sr.60767

msm(co)

krd 21/11

W.P.No.37212 of 2016

And

W.M.P.No.31956 of 2016