IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.40055 of 2016

B.Elumalai ... Petitioner

Vs

1. The District Collector
   Collectorate,
   Kancheepuram District

2. The Revenue Divisional Officer
   Kancheepuram District

3. The Tahsildar
   Kancheepuram District ... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to grant compassionate appointment to the petitioner in any suitable post by considering the applications.

For Petitioner : Ms.V.Porkodi

For Respondents : Mr.K.Dhananjayan,
Special Government Pleader

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents to grant compassionate appointment in any suitable post by considering the applications.

3. It is the case of the petitioner that his father worked as a Village Assistant in Revenue Department, Kancheepuram. He died while in service. Later, his mother also died on 18.10.2007. After the demise of his father, the petitioner was given temporary appointment for the period from 25.7.1991 to 22.10.1991 vide order No.9904/94/A2. Thereafter, he made an oral request for compassionate appointment and he has also submitted several applications for compassionate

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appointment. The first respondent by reply dated 16.3.2000, stated that there was a ban for recruiting Village Assistant and after lifting the bank, the petitioner can make application for compassionate appointment. After lifting the ban, the petitioner made several representations and the respondents asked him to produce necessary documents. The petitioner has also produced the necessary documents and participated in the interview conducted in the month of July 2016. Still, his request was not considered. Hence, left with no other alternative, the petitioner has come up with the present writ petition seeking compassionate appointment.

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

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim projected by the petitioner, this Court directs the petitioner to send a fresh representation along with a copy of this order to the first 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 first respondent is directed to consider the said representation seeking compassionate appointment and pass appropriate orders, on merits and in accordance with law, within a period of six weeks thereafter. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sbi
To

1. The District Collector
   Collectorate
   Kancheepuram District

2. The Revenue Divisional Officer
   Kancheepuram District

3. The Tahsildar
   Kancheepuram District

+1cc to Ms.V.Porkodi, Advocate, S.R.No.65535
+1cc to the Government Pleader, S.R.No.66120

W.P.No. 40055 of 2016

BR(CO)
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