

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2016

CORAM

THE HONOURABLE Mr.JUSTICE R.SUBBIAH

W.P.No.41266 OF 2016

V.K.Elakkiya

.. Petitioner

-Vs.-

- 1.The Government of Tamil Nadu
rep. by its Secretary to Government,
School Education Department,
St. George Fort, Chennai-9.
 - 2.The Director of School Education,
College Road, Chennai-6.
 - 3.The District Elementary Educational Officer,
Vellore District, Vellore.
 - 4.The Assistant Elementary Educational Officer,
K.V.Kuppam, Vellore District.
- ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 3rd respondent to issue an order of employment on compassionate ground according to petitioner's educational qualification as per petitioner's representation dated 24.10.2016.

For Petitioner : Mr.M.Thamizhavel

For Respondents : Mr.V.Anandhamoorthy,
Additional Government Pleader
(Education)

ORDER

By consent, the Writ Petition itself is taken up for final disposal.

2. The Writ Petition has been filed to issue a Writ of Mandamus, directing the 3rd respondent to issue an order of employment on compassionate ground according to petitioner's

educational qualification by considering the petitioner's representation dated 24.10.2016.

3. The case of the petitioner is that the father of the petitioner V.Kumaran, who was working as Secondary Grade Teacher at Kavanur MOTur Panchayat Union Elementary School in Vellore District, expired on 03.09.2006 while in service. Thereafter, the petitioner's mother has given a representation dated 20.08.2007 to the 4th respondent seeking employment on compassionate ground. But no reply was received. Hence, his mother sent a petition under Right to Information Act to Tripathur District Educational Officer seeking details regarding her employment. But Tripathur District Educational Officer sent a evasive reply dated 26.02.2016 and the 3rd respondent sent all the original certificates of his mother on 19.07.2016 to her.

4. The further case of the petitioner is that since his mother attained 50 years and she is not able to work due to her health condition, the petitioner approached the respondents 3 and 4 to provide him a compassionate ground appointment since he has studied B.Sc. (Maths). In this regard, the petitioner sent a representation dated 7.10.2016 to the respondents 1, 2 and 4. Thereafter, following the same, he has given another representation dated 24.10.2016. But there was no response from the respondents. Hence, the present Writ Petition.

5. Heard the learned Counsel for the petitioner and the learned Additional Government Pleader, who has taken notice on behalf of the respondents.

6. Considering the facts and circumstances of the matter, without going into the merits of the claim made by the petitioner, this Court directs the 3rd respondent to consider the representation of the petitioner dated 24.10.2016 on merits and in accordance with law and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this Order.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Government of Tamil Nadu
rep. by its Secretary to Government,
School Education Department,
St. George Fort, Chennai-9.

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

3.The District Elementary Educational Officer,
Vellore District, Vellore.

4.The Assistant Elementary Educational Officer,
K.V.Kuppam, Vellore District.

+1cc to Mr.M.Thamizhavel, Advocate, S.R.No.68567

+1cc to the Government Pleader, S.R.No.69164

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KSJ(CO)
MA(29/12/2016)



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