

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16.12.2016

Coram

The Honourable Mr. JUSTICE M.SATHYANARAYANAN

Writ Petition No.43403 of 2016

R.Vishnupriyan

... Petitioner

-Vs-

1. The State of Tamil Nadu,
Represented by its Secretary
to Government, Social Welfare
& Nutritious meal Programme Department,
Secretariat, Fort St.George,
Chennai - 600 009.
 2. The Director of Social Welfare,
Chepauk,
Chennai - 600 005.
 3. The Child Development Project Officer,
Project-III,
Kandamangalam Union,
Villupuram District.
- ... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to pass orders for appointment of the petitioner on compassionate ground in any suitable post based on his qualification as per the application dated 02.01.2001 and 12.05.2011 with all consequential and other attendant benefits, within a time frame to be fixed by this Court.

For Petitioner : Mr.Maheshnath
for Mr.G.Sankaran

For Respondents : Mr.K.Dhanjayan, Spl.Govt.Pleader

O R D E R

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

2. The petitioner claims to be the adopted son of Tmt.Saraswathy who was employed as Supervisor in Nutritious Meals in Kandamangalam Union, Villupuram District, under the control of 3rd respondent and died in harness on 26.03.1998, leaving behind the petitioner and his aged grandmother Tmt.Lakshmiammal. The petitioner would state that he has completed School education and could not pursue further studies due to indigent circumstances in the family. After attaining the age of 18 years, he submitted a representation dated 12.05.2011 to the 2nd respondent praying for appointment on compassionate ground. The petitioner also sought information under the Right to Information Act by filing application to the 2nd respondent and vide communication dated 01.06.2011, he was informed that since he has not applied within three years from the date of demise of the Government servant, his name cannot be included and it is also against G.O.No.120 Labour & Employment Department dated 26.06.1995 and G.O.No.86 Labour & Employment Department dated 04.05.2010.

3. The grievance expressed by the petitioner is that subsequently also, he has submitted a representation dated 26.09.2016 praying for appointment on compassionate ground and since it has not been considered and given disposal, he came forward to file this writ petition.

4. Heard Mr.Maheshnath, learned counsel appearing for the petitioner and Mr.K.Dhananjayan, learned Special Government Pleader who accepts notice on behalf of the respondents.

5. Though the petitioner prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 26.09.2016 on merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Secretary to Government,
Social Welfare & Nutritious
Programme Department,
Secretariat, Fort St.George,
Chennai - 600 009.

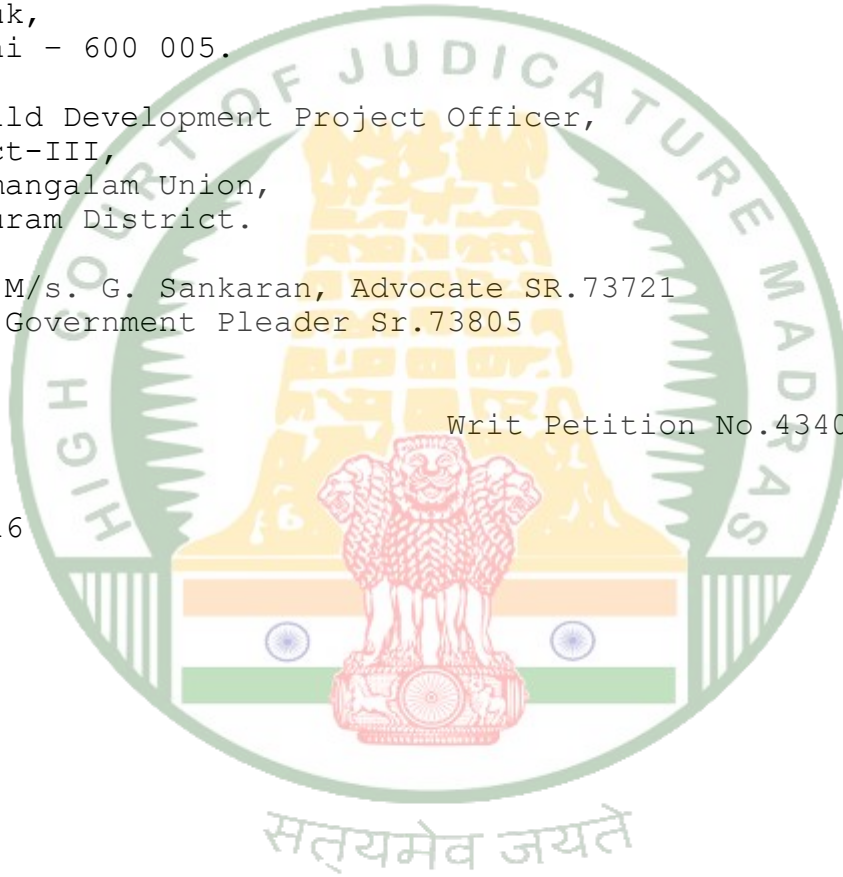
2. The Director of Social Welfare,
Chepauk,
Chennai - 600 005.

3. The Child Development Project Officer,
Project-III,
Kandamangalam Union,
Villupuram District.

+ 1 cc to M/s. G. Sankaran, Advocate SR.73721
+ 1 cc to Government Pleader Sr.73805

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EU 26.12.16



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