



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2016

CORAM

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.10602 of 2014

K.Arun Prasad

... Petitioner

-Vs-

1) The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Home Department,
Fort St.George, Chennai.

2) The Director General of Police,
Chennai.

3) The Commissioner of Police,
Madurai City, Madurai.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to give compassionate appointment to the petitioner.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.S.Kumar, Addl. Government Pleader

ORDER

This Writ of Mandamus has been filed to direct the respondents to give compassionate appointment to the petitioner.

2.The petitioner's mother R.Jaya died on 14.09.2008 while in service as Sub Inspector of Police, Madurai City; the petitioner's grandmother and sister were dependants upon the petitioner; the petitioner's father pre-deceased the petitioner's mother; on 24.12.2008, the petitioner applied for appointment on compassionate grounds; the petitioner's sister also gave consent for the same; by the proceedings dated 01.08.2011, the Inspector of Police, District Special Branch, Madurai, submitted a letter to the Superintendent of Police, Madurai District, recommending the case of the petitioner for compassionate appointment and consequently, the 3rd respondent/Commissioner of Police, Madurai District, has informed the petitioner that his name has been included in the state-wide waiting list for compassionate appointment, wherein, the petitioner has been placed at Serial No.1667.



3.The learned counsel for the petitioner would submit that even though the seniority list is maintained in accordance with G.O.No.135, Labour and Employment Department, dated 04.10.2006, the petitioner's case must be considered on priority basis, as maintaining of the seniority list itself runs counter to the basic objective with which compassionate appointment is provided. It is specifically pointed out that the petitioner has lost both the mother and father and as he is waiting for long number of years, his case must be considered on priority basis.

4.Under such circumstances, the respondents are directed to consider the case of the petitioner on priority basis considering the stated circumstances and to grant compassionate appointment out of turn forthwith, if otherwise found eligible.

Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To

1)The Principal Secretary,
Government of Tamil Nadu,
Home Department,
Fort St.George,
Chennai.

2)The Director General of Police,
Chennai.

3)The Commissioner of Police,
Madurai City,
Madurai.

+1 cc to Mr.R.Subramanian, Advocate in SR 56919

+1 cc to the Spl.Govt.Pleader in SR No.57021

W.P (MD) No.10602 of 2014
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anr/ss2/25.10.2016/2p/6c