



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2016

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition (MD) No.10420 of 2016

M.Usha

...Petitioner

Vs.

1.The Director General of Police,
O/o.the Director General of Police,
Chennai 04.

2.The Superintendent of Police,
O/o.the Superintendent of Police,
Nagercoil, Kanyakumari District.

...Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner for compassionate appointment within the time stipulated by this Court.

For Petitioner

: Mr.T.Lajapathi Roy

For Respondents

: Mrs.S.Bharathi,

Government Advocate.

ORDER

The petitioner herein seeks for a mandamus to direct the respondents/Police Department to consider her plea for compassionate appointment within a time frame to be stipulated by this Court.

2.According to the petitioner, her father died on 13.09.1996 while serving as Grade-I, Police Constable, and she was a minor, aged about 17 years, on the date of the death of her father. An application was made by her mother before the second respondent, seeking compassionate appointment for the elder sister of the petitioner. It appears that the same was forwarded to the first respondent. During the pendency of the said application, the petitioner's elder sister got married and immediately thereafter, the petitioner made an Application along with the No Objection Certificate from her elder sister since she got married. Even after submitting the Application, it is pleaded that the respondents have not come forward to consider her request for compassionate appointment.

3.It is an admitted case that the petitioner's father died on 13.09.1996. Subsequently, an Application was made seeking compassionate appointment for the petitioner's elder sister. According to the petitioner, since during the pendency of the said



application the elder sister got married, she became ineligible and made an Application along with the No Objection Certificate of her elder sister.

4.Learned counsel appearing for the petitioner would submit that the petitioner has also got married, but, he is unable to mention the year of marriage. He submitted that even married daughters are also entitled to get compassionate appointment.

5.The plea of the petitioner cannot be accepted, for, what was applicable to her married elder sister is equally applicable to her since she has also got married now. Regarding the other plea that even married daughters are also entitled to get compassionate appointment, this Court is of the view that once the petitioner is married and settled with her husband, the question of dependency for seeking compassionate appointment stands liquidated and therefore, this Court is not inclined to accept the said contention. Secondly, the petitioner's father died in 1996 and till now they are able to survive for 20 years and therefore, at this remote point of time, the question of compassionate appointment does not arise.

6.The writ petition fails and it is dismissed. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1.The Director General of Police,
O/o.the Director General of Police,
Chennai 04.

2.The Superintendent of Police,
O/o.the Superintendent of Police,
Nagercoil, Kanyakumari District.

+1cc to M/s.T.Lajapathi Roy, Advocate in SR.31913

Writ Petition (MD) No.10420 of 2016
21.06.2016

sms

PBK/SK-SKN 04/07/2016 ::2P-4C::