



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.(MD)No.14975 of 2016

and

W.M.P(MD)No.11038 of 2016

Y.Anto

... Petitioner

Vs.

1.Tamil Nadu State Transport Corporation,
Tirunelveli Ltd.,
rep. by its Managing Director,
Tirunelveli Division,
Tirunelveli - 3.

2.Tamil Nadu State Transport Corporation,
Tirunelveli Ltd.,
rep. by its General Manager,
Nagercoil Region,
Nagercoil - 629 001,
Kanyakumari District.

... Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents herein to provide the petitioner appointment on compassionate grounds in any suitable post depending upon the petitioner's qualification in the respondent's corporation within a reasonable time.

For Petitioner : Mr.R.Russel Raj

For Respondents : Mr.K.Sathiya Singh

ORDER

Mr.Y.Anto, S/o Late Yesudhasan, has come to this Court seeking for the issuance of a Writ of Mandamus directing the respondents to provide him appointment on compassionate grounds in any suitable post depending upon his qualification in the respondent-corporation within a reasonable time. Further, now the petitioner seeks another relief directing the respondents to pay all benefits including the death and retirement benefits, Gratuity, family pension to his mother.

2. Mr.K.Sathiyasingh, learned Standing Counsel takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.



3. The petitioner's father was appointed as Driver in the year 1986 in the second respondent corporation and he was working at Thingal Nagar Branch. While he was in service, unfortunately, on 26.04.2015, died in harness, leaving behind his wife, son and two married daughters. In view of the sudden death of the petitioner's father, his family members find it very difficult to eke out their livelihood. Therefore, he approached the second respondent by way of application seeking appointment on compassionate grounds. But his application till date has not been considered. Moreover, the mother of the petitioner has also made an application to the second respondent corporation on 29.01.2016 seeking compassionate appointment and also one more prayer to pay retirement benefit of her husband and also family pension.

4. The learned counsel for the respondents corporation submitted that when the petitioner's father died on 26.04.2015 in harness, an application has been made with a prayer to give compassionate appointment to the petitioner subject to his qualification and also pay retirement benefits to his mother, therefore, considering the plight of the petitioner, direction may be issued to look into the case of the petitioner.

5. Recording the abovesaid statement and keeping in mind the fact that the petitioner's father died on 26.04.2015, in harness, the second respondent corporation is directed to consider both the prayer, namely, for providing compassionate appointment to the petitioner and also to disburse the retirement benefits and family pension in favour of the petitioner's mother considering the representation of the petitioner's mother dated 29.01.2016, on merits within a period of three weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (writ)

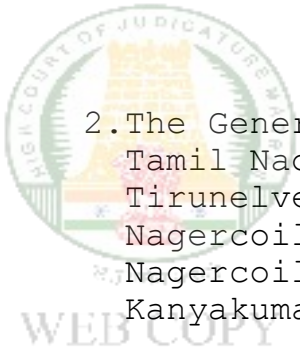
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Sub Assistant Registrar

skn

To

1. The Managing Director,
Tamil Nadu State Transport Corporation,
Tirunelveli Ltd.,
Tirunelveli Division,



2.The General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Ltd.,
Nagercoil Region,
Nagercoil - 629 001,
Kanyakumari District.

+1 cc to Mr.K.SATHIYA SINGH ,Advocate, Sr.No: 45018

+1 cc to Mr.R.RUSSEL RAJ ,Advocate, Sr.No: 44498

JAM/SKS-RR/28.09.16/3P-5C

W.P. (MD) No.14975 of 2016
16.08.2016.