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BEFORE THE MADURAI BENCH OF MADRAS HIGH COUT

DATED : 14.09.2016

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THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.17260 of 2016

M.S.Senthil Raja ... Petitioner

vs.

1)The State of Tamil Nadu,
Rep. by the Secretary to Government,
Education Department,
Fort St.George,
Chennai-600 009.

2)The Director of School Education,
College Road,
Chennai-600 009.

3)The District Educational Officer,
Melur,
Madurai District.

4)The Additional Assistant Elementary
Educational Officer,
Melur,
Madurai District. ... 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 appointment to the petitioner on compassionate ground to any suitable post according to his qualification based on the petitioner's representation dated 25.08.2014 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.K.Chengiz Khan
For Respondents : Mr.S.Chandrasekaran, Government Advocate

ORDER

This Writ of Mandamus has been filed to direct the respondents to give appointment to the petitioner on compassionate ground to any suitable post according to his qualification, based on his representation dated 25.08.2014.

2.In the representation dated 25.08.2014, the petitioner has stated that his father who was working as Headmaster, died in harness on 19.03.1999 leaving behind his wife, four sons and his mother as legal heirs. The petitioner, who is the eldest son of the deceased employee, made a claim for appointment to the post of Junior Assistant on compassionate grounds along with necessary

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documents. It is further stated that pursuant to the proceedings of the 3rd respondent/District Educational Officer, Melur, Madurai District, directing the petitioner to furnish additional particulars, the petitioner furnished the same.

3.As no orders were passed on his representation, the petitioner has sought for information under the Right to Information Act, under which, the District Elementary Educational Officer, Madurai, has stated that the claim of the petitioner has been accepted and towards corroborating this statement, it is stated that a seniority list is maintained for compassionate appointment, in which, the name of the petitioner has been placed at Serial No.2.

4.Learned counsel for the respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 25.08.2014 in the light of the answers given under the RTI Act and also as per the seniority list maintained for compassionate appointment.

5.Hence, the respondents are directed to consider the representation of the petitioner dated 25.08.2014 in the light of the answers given under the RTI Act and also as per the seniority list and to pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

To
1) The Secretary to Government,
State of Tamil Nadu,
Education Department, Fort St.George, Chennai-600 009.
2) The Director of School Education,
College Road,Chennai-600 009.
3) The District Educational Officer, Melur, Madurai District.
4) The Additional Assistant Elementary
Educational Officer, Melur, Madurai District.

+1 CC to the SPECIAL GOVERNMENT PLEADER, SR No.52400
+1 CC to Mr.CHENGIZH KHAN, Advocate, SR No.51861

W.P(MD)No.17260 of 2016
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