



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2016

CORAM

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD) No.17317 of 2016

K.Ponni

... Petitioner

-vs-

1.The Director of Backward Classes and Minority Welfare,
Ezhilagam, Chepauk,
Chennai - 600 005.

2.The District Collector,
Madurai District,
Madurai.

3.The District Backward Class Welfare Officer,
Collectorate Complex,
Madurai - 625 020.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondents to consider the petitioner's representation dated 05.07.2016 for appointing the petitioner in any one of the vacant post on compassionate ground and pass appropriate orders within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Viswalingam

For Respondents : Mr.M.Alagadevan
Special Government Pleader

O R D E R

Seeking appointment, on compassionate ground on the death of the petitioner's husband, the representation dated 05.07.2016 has been submitted, which has not yet been considered by the respondents. Therefore, the petitioner has approached this Court with the aforesaid prayer.

2.Heard the learned counsel for the petitioner and the learned Special Government Pleader, who takes notice for the services rendered by the petitioner. By consent, the writ petition itself is taken up for final disposal at the stage of admission.



3.The petitioner's husband is one M.Murugesan, who was serving as Warden in the Kottampatti Government Boys Hostel, died in harness on 22.08.2015. His total service in the Backward Class Welfare Department was 19 years and his service in the cadre of Warden has already been regularised and probation has also been declared.

4.According to the petitioner, she was the dependent of her late husband and after the sudden demise of her husband, she is suffering from poverty and she is not in a position to maintain her five year old son. Therefore, she has sent an application, seeking appointment on compassionate ground. Since the same has not been considered so far, the petitioner is before this Court.

5.It is seen that within three years from the date of death of the petitioner's husband, the application seeking appointment on compassionate ground has been submitted. There is no circumstance, to point out that the petitioner is disqualified in seeking compassionate appointment.

6.Under such circumstances, the respondents are directed to consider the representation of the petitioner dated 05.07.2016 and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

7.The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Director of Backward Classes and Minority Welfare,
Ezhilagam, Chepauk, Chennai - 600 005.
- 2.The District Collector,
Madurai District, Madurai.
- 3.The District Backward Class Welfare Officer,
Collectorate Complex,
Madurai - 625 020.

+One cc to Mr.S.Viswalingam, Advocate, SR.No.52066

+One cc to The Special Government Pleader, SR.No.52856

mj

RL/6C/2P/CK/28/9/2016