



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2016

CORAM:

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.20815 of 2016

P.Karthikeykan

... Petitioner

-vs-

1.The Secretary to the Government,
Department of Town Planning and
Drinking Water Supply,
Secretariat, St.George Fort,
Chennai.

2.The Administrative Director,
Municipal Corporation,
Ezhilagam, Chepauk,
Chennai.

3.The Commissioner,
O/o.The Commissioner,
Dindigul Corporation,
Dindigul.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus directing the respondents 2 and 3 to appoint the petitioner as a sweeper in the third respondent's Corporation as per the recommendation of the third respondent through his proceedings Na.Ka.No.6720/2014/H-2, dated 10.04.2015 on compassionate ground within a stipulated time.

For Petitioner	:	M/s.A.Rajini
For R1 & R2	:	Mr.A.Muthukaruppan Additional Government Pleader
For R3	:	Mr.J.Lawrance

O R D E R

This is a writ of mandamus seeking direction to the Municipal Corporation, Chennai and the Commissioner, Dindigul Corporation (R2 and R3), to appoint the petitioner as sweeper in the third respondent Corporation, as per the recommendation of the third respondent, dated 10.04.2015.



2. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3. The petitioner's father, Palanisamy, who was working as a sweeper in the third respondent Corporation for nearly 25 years, died on 04.07.2008, while in service. By the proceedings dated 10.04.2015, the third respondent made recommendation to the second respondent to appoint the petitioner on compassionate ground in the place of the deceased Palanisamy. In the communication dated 10.04.2015, it is stated by the Commissioner that out of 451 posts of sanitary workers required, only 257 posts have been filled up and remaining 194 posts are kept vacant and therefore, he must be permitted to fill up the post on compassionate ground.

4. The learned counsel for the petitioner would submit that considering the penurious circumstances, under which, the petitioner is placed, there must be a direction to the second and third respondents to appoint the petitioner as sweeper as quickly as possible and in any event, within a period of two weeks from the date of receipt of a copy of this order.

5. It is agreeable for the learned counsel for the respondents to consider the request of the petitioner and to pass orders.

6. Under such circumstances, the respondents 2 and 3 are directed to give appointment to the petitioner on compassionate ground in tune with G.O.Ms.No.377, dated 31.08.2016 issued in favour of one P.Karthikeyan, within a period of six weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of accordingly. No costs.

sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

mj

rj2

To:

1. The Secretary to the Government,
Department of Town Planning and
Drinking Water Supply,
Secretariat, St. George Fort,
Chennai.



2.The Administrative Director,
Municipal Corporation,
Ezhilagam, Chepauk,
Chennai.

3.The Commissioner,
O/o.The Commissioner,
Dindigul Corporation,
Dindigul.

+1CC to Spl.Government Advocate Sr.No.64958

GJM/DB/30.11.16-3p-5C

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