



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :21.06.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.1347 of 2011

M.Kannammal

.. Petitioner

vs.

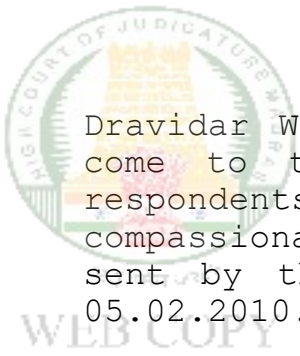
1. The Secretary,
Adi Dravidar Welfare Department,
Secretariat,
Chennai.
2. The Commissioner,
Adi Dravidar Welfare Department,
Chepauk,
Chennai.
3. The District Collector,
Office of the District Collector,
Madurai.
4. The District Adi Dravidar and Tribal Welfare Officer,
Madurai District,
Madurai.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents to appoint the petitioner's son Alagupandi on compassionate ground due to the death of the petitioner's son Ramesh at Government Adi Dravidar Welfare Hostel, Thirupparankundram, Madurai District, consequently directing the respondents to pay adequate amount of compensation to the petitioner and her family members.

Petitioner : Mr.R.Alagumani
For Respondents : Mr.M.Murugan,
Government Advocate

ORDER



Dravidar Welfare Hostel, Thirupparankundram, Madurai District, has come to this Court seeking a Writ of Mandamus directing the respondents to appoint her another son namely, Alagupandi, on compassionate ground, on the basis of the proposal/recommendation sent by the third respondent District Collector, Madurai, dated 05.02.2010.

2. The Petitioner's younger son Ramesh while studying second year B.Com., course in Mannar Thirumalai Naicker College, Pasumalai, Madurai, stayed at Government Adi Dravidar Welfare Hostel in Thirupparankundram, Madurai District, sadly, on the night of 19.12.2009, he was bitten by a poisonous snake and subsequently, he was taken to Government Rajaji Hospital, Madurai at about 11.45 p.m. But, unfortunately, he passed away on 21.12.2009. In view of lack of security and safety measures provided in the hostel, the petitioner's younger son passed away due to snake bite. About 300 college students and general public from the said college and the relatives of the petitioner assembled before the Government Rajaji Hospital, Madurai and demanded an enquiry against the hostel authorities for not taking sufficient safeguards to the students. Finally, a compromise was reached between the petitioner's family and the authorities, in which, it was accepted by the authorities to give adequate compensation. Pursuant thereto, the District Collector, has also given a recommendation to the Principal Secretary to Government and Commissioner of Revenue Administration on 22.12.2009 to provide adequate compensation and also employment for one of the petitioner's family members.

3. While so, The case of the petitioner is that when the proposal was sent by the third respondent recommending the payment of adequate compensation and employment on compassionate ground to one of the family members of the petitioner to the Principal Secretariat to Government and Commissioner of Revenue Administration, after paying only a sum of Rs.1,00,000/-, the respondents have not taken any steps to give compassionate appointment. Therefore, if a direction is given to the second respondent to act on the proposal given by the District Collector, useful purpose would be served, he pleaded.

4. Mr.M.Murugan, learned Government Advocate after taking instructions would submit that although a proposal has been sent by the District Collector to the second respondent on 22.12.2009, the same is pending.

5. Heard the learned counsel appearing on both sides and perused the materials available on record.

6. Since the proposal, dated 22.12.2009, is pending for almost six years on the file of the second respondent, this Court considering the plight of the petitioner's family, hereby directs the second respondent to give effect to the proposal sent by the District Collector and provide compassionate appointment to the



petitioner's elder son Alagupandi, commensurate with his educational qualifications, within a period of ten weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of.
No Costs.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary,
Adi Dravidar Welfare Department,
Secretariat,
Chennai.
2. The Commissioner,
Adi Dravidar Welfare Department,
Chepauk,
Chennai.
3. The District Collector,
Office of the District Collector,
Madurai.
4. The District Adi Dravidar and Tribal Welfare Officer,
Madurai District,
Madurai.

+ 1 CC TO MR.R.ALAGUMANI, ADVOCATE IN SR No. 32259
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 32049

PM
TE/PEK/ : 30/06/2016 : 3P/7C

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