

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2017

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No. 10080 of 2017

K. Bharathi

... Petitioner

vs.

The Managing Director,
TNSTC (Villupuram) Ltd.,
Head Office,
No.3/137, Vazhudha Reddy Post,
Salamedu,
Villupuram.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondent to consider the petitioner's representation dated 28.01.2017 for employment on compassionate ground within a fixed time frame.

For petitioner Mr. M. Selvam

For respondent Mr. A. Antony Arockiaraja

ORDER

Mr. A. Antony Arockiaraja, learned Standing Counsel, accepts notice for the respondent.

2 This writ petition has been preferred seeking a writ of mandamus directing the respondent to consider the petitioner's representation dated 28.01.2017 for employment on compassionate ground within a time frame.

3 The petitioner's father Karthikeyan was working as Conductor in the respondent Transport Corporation and he died in harness on 19.08.2002. Hence, seeking appointment on compassionate ground, the petitioner had addressed representations to the respondent enclosing the death certificate of her father and legal heirship certificate and the last of her representation is dated 28.01.2017. Since her request for appointment on compassionate ground remains unconsidered till date, the petitioner has preferred this writ petition seeking the aforesaid relief.

4 At the outset, it is to be pointed out that this writ petition cannot be entertained for more than one reason. The petitioner has got married and is staying with her husband. Secondly, it is the petitioner's admitted case that her family consists of her mother, younger brother and herself and in the year 2014, her mother and younger brother had gone missing and on the complaint made by her about their missing, the police, after investigation, have given a final report dated 30.04.2016 stating "undetectable". The very object and rationale behind the scheme of providing appointment on compassionate ground is to provide immediate succour to the family of the Government servant who died in harness. When the petitioner has been able to sustain till now from the date of her father's demise on 19.08.2002 and moreover, when her mother and younger brother are no longer in existence, this Court is of the considered view that the petitioner is not eligible to be granted appointment on compassionate ground.

5 In view of the foregoing discussion, this Court is not inclined to direct the respondent to consider and pass orders on the petitioner's representation dated 28.01.2017.

Resultantly, this writ petition stands dismissed, however, sans costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

cad
To

The Managing Director
TNSTC (Villupuram) Ltd.
Head Office
No.3/137, Vazhudha Reddy Post
Salamedu
Villupuram.

+1cc to Mr.Antony Arokiaraja, Advocate Sr.24583
+1cc to M/S.M.Selvam, Advocate Sr.24604

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