

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8461 of 2017

T.Bhuvanashankari

.. Petitioner

-vs-

1.The State of Tamil Nadu
Rep. by its Secretary
School Education Department
Fort St. George
Chennai-600 009.

2.The Director of School Education
DPI Compound
College road
Nungambakkam
Chennai-600 006.

3.The Chief Educational Officer
Salem-636 001.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to forthwith consider and pass orders on the application of the petitioner dated 10.03.2017 for compassionate appointment.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.T.M.Pappiah, Spl.G.P.

ORDER

The Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to forthwith consider and pass orders on the application of the petitioner dated 10.03.2017 for compassionate appointment.

2.The case of the petitioner is that while her mother namely, late. M.Kumudha was serving as a P.G.Assistant - Chemistry in Government Higher Secondary School at Dharapuram, Omalur Taluk, Salem District, suddenly died on 08.11.2016

leaving behind the petitioner and her father as her legal heirs. In view of the sudden demise of the petitioner's mother, the family of the petitioner is in indigent circumstance and as there is no source of income, she has sent an application to the third respondent along with all the required certificates and documents on 10.03.2017 requesting for compassionate appointment to the petitioner. Though the third respondent acknowledged the receipt of the application of the petitioner, he had not sent any reply to her. Therefore, the petitioner had sent a detailed representation to the respondents 1 to 3 on 16.03.2017 by registered post with acknowledgement card requesting them to appoint her on compassionate ground. As the same has not been considered by the respondents, the petitioner has come forward with the present writ petition.

3. Heard the learned counsel for the petitioner. Mr. T.M.Pappiah, learned Special Government Pleader takes notice on behalf of the respondents.

4. According to the petitioner, while her mother was working as a P.G. Assistant - Chemistry in Government Higher Secondary School at Dharapuram, died on 08.11.2016 leaving behind the petitioner and her father as her legal heirs. Therefore, she had sent a representation to the respondents on 16.03.2017 requesting them to appoint her on compassionate ground. In fact, the very purpose of providing the appointment on compassionate grounds is to meet out the financial crisis that had taken place on sudden death of bread winner and to save the family from indigent circumstances. However, in the present case, it is to be noted that the petitioner herself admitted that her father has been employed and working in a private firm and therefore, question of indigent circumstance does not arise. Further, the petitioner has not produced any income certificate of her father. Therefore, this Court is not inclined to entertain the writ petition. Accordingly, the Writ Petition fails and is dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

kj

To

1.The Secretary
State of Tamil Nadu
School Education Department
Fort St. George
Chennai-600 009.

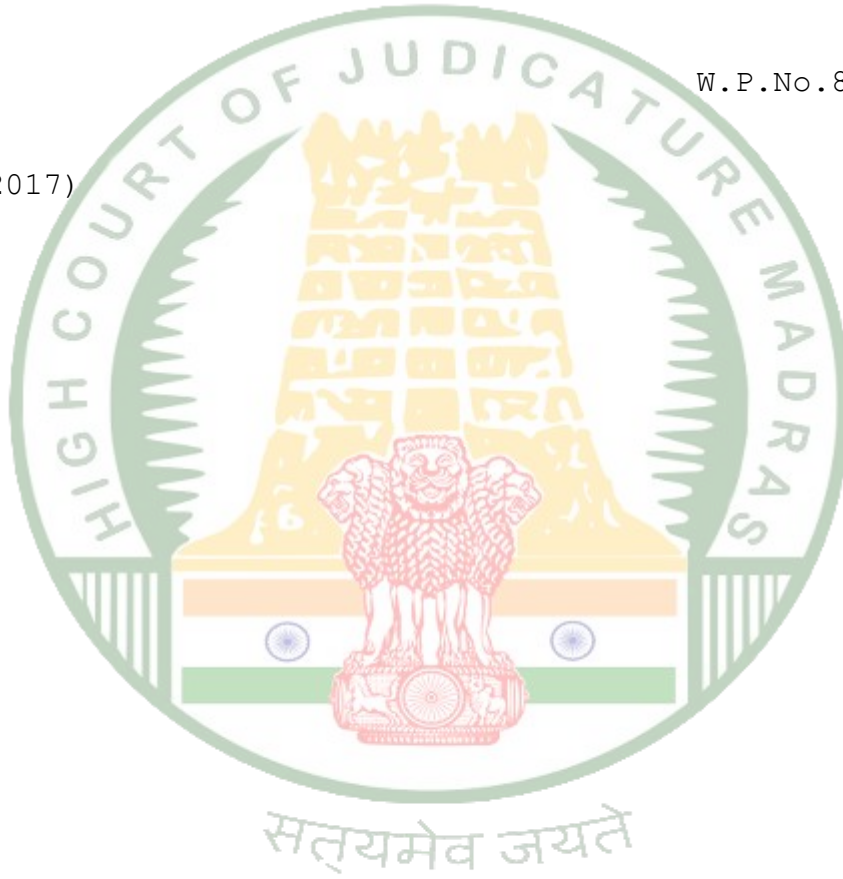
2.The Director of School Education
DPI Compound
College road
Nungambakkam
Chennai-600 006.

3.The Chief Educational Officer
Salem-636 001.

+lcc to M/s.K.Selvaraj, Advocate SR.No.21396
+lcc to the Government Pleader SR.No.21929

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MV(CO)
GN(21/01/2017)



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