

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.5991 of 2017

E.Kannan .. Petitioner

-vs-

1. The Commissioner of Municipal Administration
Chepauk
Chennai 600 005
2. The Regional Director of Municipal Administration
Thanjavur
3. The Commissioner
Mannargudi Municipality
Mannargudi .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to pass appropriate orders on the proposal of the Commissioner, Mannargudi Municipality sent to the first respondent in Na.Ka.No.650/2016/H1 dated 10.11.2016 for compassionate ground appointment to the petitioner, within a reasonable period as may be fixed by this Hon'ble Court.

For Petitioner :: Mr.T.Ranganathan

For Respondents :: Mr.V.Jayaprakash Narayanan
Special Government Pleader

for R1 & 2

Mr.K.Rajendraprasad for R3

ORDER

Learned counsel for the petitioner submitted that the petitioner's father (late) S.Elangovan, while serving as Sanitary Worker in the Mannargudi Municipality, died while in service on 27.6.2007, leaving behind his wife and three children including the petitioner. Since there was no breadwinner in the petitioner's family after the death of his father, he has approached the Commissioner, Mannargudi Municipality on 29.7.2009 seeking compassionate appointment in order to support his family. Pursuant thereto, the Commissioner, Mannargudi Municipality also, while considering the bona fide request of the petitioner, had directed the petitioner to submit his

application on completion of 18 years of age, by letter dated 30.7.2009. Complying with the conditions mentioned in the said communication, on completion of 18 years, the petitioner has again approached the Commissioner, Mannargudi Municipality seeking compassionate appointment. The Commissioner, Mannargudi Municipality, again directing the petitioner to submit all the relevant documents and after obtaining the documents, recommended the case of the petitioner to the first respondent through the second respondent in Na.Ka.No.650/2016/H1 dated 10.11.2016 along with 16 documents and Form 17, in tune with the compassionate appointment's scheme. The said proposal was also forwarded by the Regional Director of Municipal Administration, Thanjavur, the second respondent herein in letter No.3789/2015/B2 dated 18.1.2017 to the Commissioner of Municipal Administration, Chennai, the first respondent herein and the same is pending on the file of the first respondent. The first respondent, ignoring the fact that the petitioner's father, who was the sole breadwinner, died on 27.6.2007 and the petitioner's family should be immediately rescued from abject poverty, did not even come forward to pass any orders. Therefore a direction may be issued, he pleaded.

2. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondents 1 & 2, taking note of the vital communication dated 10.11.2016 issued by the third respondent-Commissioner, Mannargudi Municipality to the first respondent, sought for twelve weeks time to consider the case of the petitioner.

3. But this Court is not inclined to grant twelve weeks time, as six weeks will be good enough. Therefore, the first respondent is hereby directed to consider the proposal made by the third respondent in respect of the petitioner and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order, as it is a case of compassionate appointment. The writ petition is disposed of accordingly. No costs. सत्यमेव जयते

Sd/-

Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

To

1. The Commissioner of Municipal Administration
Chepauk
Chennai 600 005

2. The Regional Director of Municipal Administration
Thanjavur

3. The Commissioner
Mannargudi Municipality
Mannargudi.

+1 cc to Govt.Pleader,sr.15741

+1 cc to Mr.T.Ranganathan,advocate,sr.15471.

pa(co)
krd 27/3

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