

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.3111 of 2017

P.Sarojini

..Petitioner

Vs

1. The Government of Tamil Nadu
represented by Chief Secretary,
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Social Welfare and Nutrition Department,
represented by tis Secretary,
Secretariat, Fort St.George,
Chennai - 600 009.
3. The Collector,
Cuddalore District. ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct teh respondents to appoint the petitioner to any post in the Government commensurate to her qualifications.

For Petitioner : Ms.S.R.Vissalni
for Mr.V.Raghavachari

For Respondents : Mr.P.Sanjai Gandhi,
Additional Government Pleader

ORDER

By consent, the writ petition is taken up for final disposal. Mr.P.Sanjai Gandhi, learned Additional Government Pleader accepts notice on behalf of the respondents.

2. The father of the petitioner was working as a Noon Meal Program Organizer and he joined the said service in the year 1983 and died in harness during the year 2006. According to the petitioner, she belongs to schedule caste community and his father was the sole bread winner of the family and the family entirely depends on the salary earned by the father of the petitioner. The petitioner submitted a representation dated

28.08.2006 seeking employment on compassionate ground which was also followed by very many communications. The testimonies/documents asked for by the Department were also submitted including no objection certificate from her brother. Despite lapse of nearly 11 years, no orders have been passed. Therefore, the petitioner came forward to file this writ petition.

3. Learned counsel for the petitioner would submit that the family of the petitioner is under extreme indigent circumstance. Therefore, appropriate orders may be passed directing the respondents to provide compassionate ground appointment to the petitioner.

4. The Court heard the submission of the learned counsel for the petitioner and Mr.P.Sanjai Gandhi, learned Additional Government Pleader appearing for the respondents.

5. Though the petitioner prays for a larger relief, this Court in the light of the above facts and circumstances, without going into the merits of the claim projected by the petitioner, directs the 3rd respondent to act on the application submitted by the petitioner for compassionate ground appointment as well as the representation dated 04.11.2016, if the papers are otherwise in order, and forward a proposal through proper channel to the 1st respondent within a period of six weeks from the date of receipt of a copy of this order and the first respondent, on receipt of the same, is directed to consider the said proposal on merits and in accordance with law within a period of eight weeks thereafter and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

सत्यमेव जयते
s/d-

Assistant Registrar (CS-V)

//True Copy//

Sub-Assistant Registrar

To

1. The Chief Secretary,
Secretariat, Fort St.George,
Chennai - 600 009.

2. The Social Welfare and Nutrition Department,
represented by tis Secretary,
Secretariat, Fort St.George,
Chennai - 600 009.

3. The Collector,
Cuddalore District.

+1 CC to M/s. V. Raghavchari, Advocate sr 8013
+1 CC to Govt. Pleader sr 8318

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