

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2017

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P. No.25942 of 2017

P.Santhi

Petitioner

Vs.

1. The District Collector
District Collector's Office,
Krishnagiri

2. The Revenue Divisional officer,
Krishnagiri

3. The Tahsildar,
Krishnagiri

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus calling for the records relating to the 1st respondent vide proceedings No.O.M.330/2017/A3 dated 27.01.2017 and to quash the same and consequently set aside the order in Proceedings No.Roc.16470/2010/A3 dated 25.10.2016.

For Petitioner : Mr.S.Vijayakumar

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

O R D E R

The petitioner's husband, namely, R.Raju, who has served as Village Administrative Officer in Pathimadugu Village, Krishnagiri, died on 02.05.2017 leaving behind the petitioner (wife), two daughters, one son and parents (father and mother) as his legal heirs. The petitioner, being a widow, after the death of her husband, has submitted an application seeking compassionate appointment on 28.02.2008 to her or to any one of the family members, as she was tide over severe financial crisis on account of sudden demise of her husband.

2. Learned counsel for the petitioner would submit that although the application, seeking compassionate appointment was received with acknowledgement by the Revenue Divisional Officer, Krishnagiri, 2nd respondent herein, later on, the same was sent

to 3rd respondent / Tahsildar, Krishnagiri for further follow-up action. The said request of the petitioner has not been considered. Thereafter, since the petitioner fell ill, she made another representation changing her request that instead of the petitioner, her elder daughter could be considered for appointment on compassionate ground. Again the respondents, have not considered the said request. Finally, as her elder daughter also got married in the year 2011, in view of the change in circumstances, the petitioner and her family members, again, on 03.01.2017 submitted one more request by way of representation to the 1st respondent to consider their consent for providing compassionate appointment to her son and that request is also not looked into, as a result, the petitioner's family was put to great prejudice. Hence this Writ Petition.

3. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader by taking instructions from the respondents submitted that only in view of the frequent change of stand taken by the petitioner, i.e., first, sought appointment on compassionate ground to the petitioner / widow, second, to her elder daughter and thirdly to her son, the respondents were not able to finalise the request.

4. This Court is unable to find any justification in the stand taken by the respondents. The reason is, from 25.02.2008, when the petitioner has made a request to grant compassionate appointment, the same was not considered. The said request was subsequently altered by making a request through representation to consider her elder daughter for appointment on compassionate ground, the said request was also not considered. Since her elder daughter was also got married, the petitioner by way of representation dated 25.10.2016 has requested the respondents to give suitable employment to her son, who has studied X standard. That apart, the petitioner has submitted another representation dated 03.01.2017 seeking appointment to her son. The said request was also not considered.

In view of the above, this Writ petition is disposed of by directing the respondents to consider any suitable post to the petitioner's son, as on today, commensurate to his educational qualification and provide an appointment order to him, within a period of three months from the date of receipt of copy of this order. No costs.

Sd/-

Assistant Registrar (CS-)

//True Copy//

Sub Assistant Registrar

ssd

To

1. The District Collector
District Collector's Office,
Krishnagiri
2. The Revenue Divisional officer,
Krishnagiri
3. The Tahsildar,
Krishnagiri

+1cc to Mr.S.VIJAYA KUMAR Advocate, S.R.No. 81320

+1cc to the Government Pleader, S.R.No. 81715

W.P. No.25942 of 2017

KJI (CO)
TR(11/12/2017)



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