

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.2648/2017

A.Nagarajan

.. Petitioner

.Vs.

1.The Secretary to Government,
Education Department,
Government of Tamil Nadu,
Fort St., George, Chennai-600 009.

2.The Joint Director,
Directorate of School Education,
College Road,
Chennai-600 006.

3.The District Elementary Education Officer,
District Elementary Education Office,
Villupuram District.

4.The Assistant Elementary Education Officer,
Assistant Elementary Educational Office,
Mugaiyur at Manampoondi 605 759,
Villupuram District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus direct the Second and Third Respondent to consider the Petitioner's representation dated 29.12.2016 and provide employment to the Petitioner on ground of compassionate immediately.

For Petitioner : Mr.K.S.Ganesh Babu

For Respondents : Mr.V.Anandamoorthy, AGP (Edn.,)

ORDER

By consent, the writ petition is taken up for final disposal. Mr.V.Anandamoorthy, learned Additional Government Pleader (Edn.,) accepts notice on behalf of the respondents.

2 The father of the petitioner was employed as the Headmaster in Konganamoor Panchayat Union Elementary School, Mugaiyur Union, Villupuram District and he died in harness on 21.03.1999, leaving behind his wife, the petitioner and another son and two daughters. According to the petitioner, he is the elder son and his mother is an illiterate and he has studied upto 10th standard and is unemployed and on account of the sudden demise of his father, they are finding it extremely difficult to make both ends meet. It is further stated by the petitioner that within three years from the date of the demise of his father, they submitted a representation/application on 03.01.2002, seeking appointment on compassionate ground and there are communications interchanged between the petitioner and the officials concerned and the 3rd respondent, vide letter dated 12.07.2016, in O.Mu.No.264/A1/2016, has called upon the petitioner to furnish the proof as to the submission of the application within three years from the date of the demise of his father and according to the petitioner, the said information sought, was also furnished. The petitioner also sent details to the 1st respondent through proper channel and since no orders have been passed on his request for giving appointment on compassionate ground, he came forward to file the present writ petition.

3 I Heard the learned counsel for the petitioner and Mr.V.Anandamoorthy, learned Additional Government Pleader appearing for the respondents and he would submit that the application made by the petitioner came to be rejected by the Director of School Education on 24.03.2016 and as such, the present writ petition is not maintainable.

4 In response to the said submission, the learned counsel for the petitioner would submit that since the 3rd respondent has called for the details subsequently on 12.07.2016, and the particulars sought for, had also been furnished and as such, the writ petition is maintainable.

5. This Court Taking into consideration, the above facts and circumstances and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit one more representation to the 3rd respondent along with a copy of this order as well as the copy of the earlier representation dated 29.12.2016 submitted to the 1st respondent through proper channel, within a period of two weeks from the date of receipt of a copy of this order and the 3rd respondent, on receipt of the same, is directed to consider the said representation on merits and in accordance with law and pass orders within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner.

6 The writ petition stands disposed of with the above direction. No costs.

sd/
Assistant Registrar (CS VI)

/true copy/

Sub Assistant Registrar

AP

To

1. The Secretary to Government,
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Villupuram District.

+1CC to Mr.K.S.Ganesh Babu, Advocate SR.No.6827
+1cc to the Government Pleader SR.No.2648

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W.P.No.2648/2017

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