

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :15.12.2017
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.16848 of 2013
and
M.P.No.3 of 2013

J.R.Gowri Shankar

..Petitioner

vs

1.The Principle Secretary to Government,
Department of Agriculture,
Fort St.George,
Chennai - 9.

2.The District of Agriculture,
Ezhilagam,
Chepauk,
Chennai - 5.

3.The additional director of Agriculture,
Ezhilagam,
Chepauk,
Chennai - 5.

4.The Joint Director of Agriculture,
No.44, Co-operative Colony,
Near Land Development Bank,
Krishnagiri,
Krishnagiri District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent pertaining to his proceedings in his letter No. A.N.P.6/143396/2007 and quash the order dated 18.01.2008 and consequently direct the 1st & 2nd respondents to consider the claim of the petitioner for a suitable employment on compassionate grounds with reference to their original application dated 17.03.1999.

For Petitioner
For Respondents

: Mr.R.Sivakumar
: Mr.A.Rajaperumal
Additional Government Pleader

O R D E R

The relief sought for in this writ petition is to quash the order of rejection dated 18.01.2008 in relation to the claim of the writ petitioner for compassionate appointment.

2.The learned counsel appearing on behalf of the writ petitioner made a submission that at the time of granting admission, this Court has passed an interim order on 21st June 2013, directing the 1st respondent to consider the petitioner for suitable appointment on compassionate grounds. Taking into account the fact that the application was made in time, the 1st respondent was directed to pass orders within a period of twelve weeks. Pursuant to the interim order passed by this Court, the Government issued G.O.(D).No.487, Agriculture Department dated 19.11.2013, appointing the petitioner to the post of Junior Assistant and posted him in Dharmapuri. Pursuant to the order, the Director of Agriculture issued the consequential order of postings in proceedings dated 02.12.2013. The said order of posting was received by the petitioner on 08.12.2013. It is an unfortunate case, where the writ petitioner himself passed away on 10.12.2013, one day after the receipt of the order of posting issued by the Director of Agriculture. However, the learned counsel appearing for the petitioner states that the widow, who is unemployed and she has no other source of income and has to look after her minor child also.

3.Under these circumstances, if any application is made by the widow, it is left open to the authorities to consider the same in accordance with law. In respect of the compassionate appointment, the writ petitioner was already issued with an order of compassionate appointment and it is painful to know that soon after he received the order of posting, he also passed away. Thus, no further adjudication is required in this writ petition.

4.Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also closed.

//True Copy//

Sd/-
Assistant Registrar(CS IX)

Sub Assistant Registrar

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To

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Krishnagiri,
Krishnagiri District.

+1 cc to M/s.R.Sivakumar Advocate sr 90499
+1 cc to Govt Pleader sr 90608

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