

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2017

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No.2930 of 2012

K.Pushparani

.. Petitioner

Vs.

1.Government of Tamil Nadu rep. by its
Secretary, Labour and Employment
Department, Fort St. George,
Chennai - 9.

2.The Principal Secretary and
Commissioner of Labour,
D.M.S. Compound, Chennai - 6.

3.The Inspector of Labour,
Cuddalore, Cuddalore District.

4.The Inspector of Seals,
O/o. Inspector of Seals,
No.56, Lalchon Street,
Shajahan Complex,
Chidambaram - 608 001.
Cuddalore District.

... Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to consider the claim of the petitioner for providing employment to her daughter H.Nagalakshmi on compassionate grounds based on the application dated 22.10.2008 and on the basis of the representation dated 02.08.2011.

For Petitioner .. Mr.G.Sankaran

For Respondents .. Mr.R.A.S.Senthilvel,
Addl. Govt. Pleader

ORDER

Seeking a direction to the respondents to consider the claim of the petitioner for providing employment to her daughter H.Nagalakshmi on compassionate grounds based on the application

dated 22.10.2008 and on the basis of the representation dated 02.08.2011, the present writ petition has been filed.

2.The petitioner's husband who was working as Stampsmith in the office of the fourth respondent, died during the course of his employment on 21.06.2006, leaving behind the petitioner and her daughter. After the death of her husband, an application was made by the petitioner on 22.10.2008, seeking compassionate appointment for her daughter. However, the said application could not be processed by the respondents in view of the fact that in 2008, the petitioner's daughter was studying in school and was a minor. On attaining the age of majority, another application was submitted on 26.04.2011 and again on 02.08.2011 for consideration of appointment on compassionate grounds. The petitioner's daughter is qualified to be appointed as Junior Assistant by virtue of her qualification obtained during the interregnum. However, the respondents have not passed any orders on the second representation dated 02.08.2011. In the said circumstances, the petitioner has approached this Court, seeking the relief as stated supra.

3.Learned Additional Government Pleader has entered appearance and filed counter affidavit. Except stating that no proper application was filed within the stipulated period of three years as per the Government Order, there is nothing on record to show as to why the application, which was said to have been made on 02.08.2011, was not considered by the competent authority.

4.Considering the submissions of the learned counsel and upon perusing the materials and pleadings, this Court is of the view that a direction is to be issued to the respondents to consider the representation said to have been made by the petitioner on 02.08.2011 for appointment of her daughter on compassionate grounds in terms of the Government Orders issued on the subject matter and also on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

5.With the above directions, the writ petition stands disposed of. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

mmi

To

1.The Secretary to Government,
Labour and Employment
Department, Fort St. George,
Chennai - 9.

2.The Principal Secretary and
Commissioner of Labour,
D.M.S. Compound, Chennai - 6.

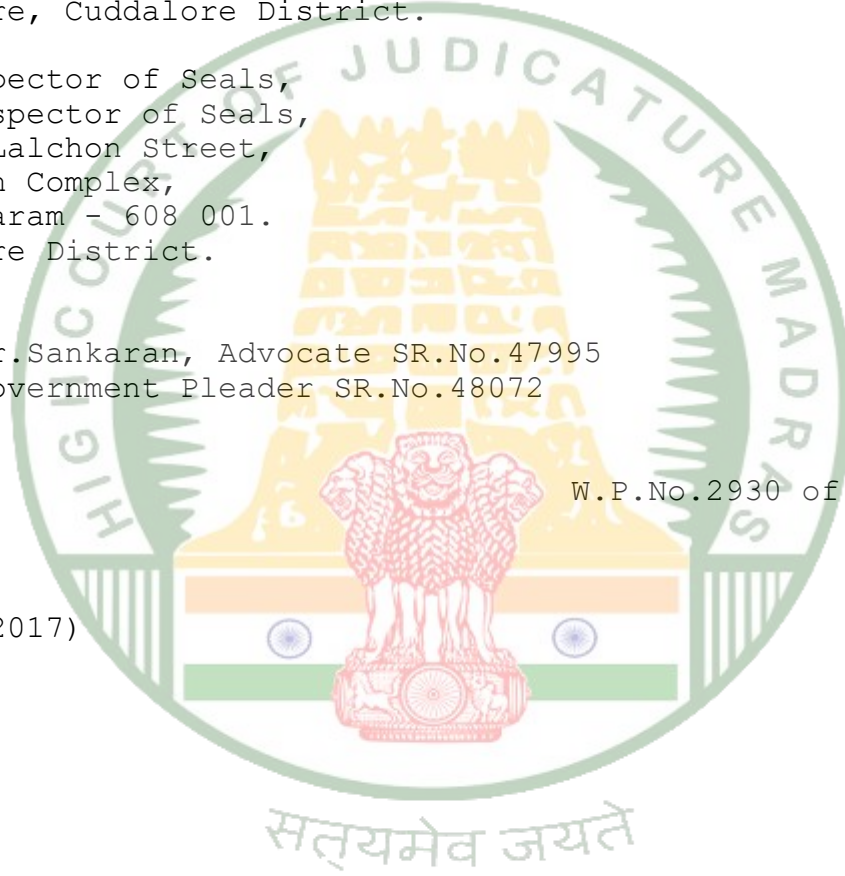
3.The Inspector of Labour,
Cuddalore, Cuddalore District.

4.The Inspector of Seals,
O/o. Inspector of Seals,
No.56, Lalchon Street,
Shajahan Complex,
Chidambaram - 608 001.
Cuddalore District.

+1cc to Mr.Sankaran, Advocate SR.No.47995
+1cc to Government Pleader SR.No.48072

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MG(CO)
GN(01/08/2017)



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