



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2017

CORAM :

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

WEB COPY

W.P. (MD) No.14823 of 2014

N.Suganniya

... Petitioner

Vs.

1.The District Collector,
Karur District,
Karur.

2.The Tahsildar,
Aravakuruchi Taluk,
Karur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned letter of the 2nd respondent dated 14.08.2014 vide Letter No. Na.Ka.Aa.4/145/2014 and quash the same and further directing the respondent to provide employment to the Petitioner on compassionate ground.

For Petitioner : Mr.G.Rajan
For Respondents : Mr.N.S.Karthikeyan,
Additional Government Pleader

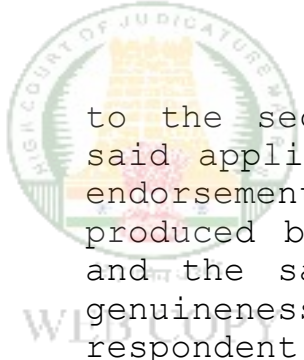
ORDER

This Writ Petition is filed by the petitioner challenging the impugned order passed by the second respondent dated 14.08.2014, rejecting the petitioner's application seeking appointment on compassionate ground.

2.The fact of the case is that the petitioner's father died on 13.04.2007, while he was in service. Thereafter, the petitioner's mother filed an application, dated 22.05.2008, seeking appointment to her daughter, namely the petitioner. In continuation to that application, the petitioner after completing the age of 18 years, sent a representation on 21.07.2014. However, the application submitted by the petitioner was treated as original application filed for seeking appointment on compassionate ground and the same was rejected on the ground that it is filed beyond the period of limitation.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The learned Counsel for the petitioner produced the copy of the original petition submitted by the petitioner's mother



to the second respondent, dated 13.05.2008. The receipt of the said application was acknowledged by the second respondent by an endorsement made in the back of the application. This document is produced before the second respondent by the petitioner's mother and the same is disputed now. When the document is filed, the genuineness of the document can also be considered by the second respondent. However the impugned order does not refer to the document. The genuineness of the document appears to be probable. The learned counsel for the petitioner submitted that the petitioner has also filed another application dated 22.05.2008, to the District Collector. It is open to the respondents to consider the genuineness of the representation submitted to the District Collector.

4. Having regard to the fact that the application of the petitioner was rejected only on the ground that the application for appointment on compassionate ground was filed after the period of limitation and the petitioner has produced the materials to show that the earlier application filed by the petitioner's mother was in time, the impugned order rejecting the petitioner's application dated 21.07.2014, is set aside. However the matter is remitted back to the second respondent and he is directed to consider the petitioner's representation dated 21.07.2014, on merits and in accordance with law after affording sufficient opportunity to the petitioner within a period of six weeks from the date of receipt of copy of this order. The genuineness of the application alleged to have been submitted by the mother of the petitioner will be considered purely on merits so as to accept the petitioner's application and treat the same as one filed in time.

5. With the above direction, this Writ Petition is allowed. No costs.

Sd/-
Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Karur District,Karur.

2.The Tahsildar,
Aravakuruchi Taluk, Karur District.

Cmr/gsp
AE/MR/SAR3/22.06.2017/2P/3C