

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 13.07.2017****CORAM:****THE HONOURABLE MR.JUSTICE T.RAJA****W.P (MD) No.12972 of 2017****and****W.M.P. (MD) No.10057 of 2017**

M.Balachandran

... Petitioner

Vs.

1. The Commissioner,
Thiruchirappalli City Municipal Corporation,
Bharathidasan Salai,
Thiruchirappalli.

2. The Assistant Commissioner,
Golden Rack Zone,
Thiruchirappalli City Municipal Corporation,
Thiruchirappalli.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to provide employment to the petitioner in any one of the post on compassionate grounds based on the educational qualification by considering the petitioner's representation dated 27.05.2017 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Mathiyalagan

For Respondents : Mr.N.S.Karthikeyan
for Municipal Corporation

O R D E R

The petitioner has come up with this writ petition seeking a direction, directing The Commissioner, Thiruchirappalli City Municipal Corporation, first respondent herein to provide employment to the petitioner on compassionate grounds based on his educational qualification by considering the representation dated 27.05.2017 within the stipulated time.

2. Heard Mr.R.Mathiyalagan, learned counsel appearing for the petitioner and Mr.N.S.Karthikeyan, learned Standing counsel appearing for the respondents.



3. By consent of both sides, this writ petition itself is taken up for final disposal.

4. The petitioner's father Late Mr. P. Moorthy while serving as Sanitary Worker in the second respondent Office under the control of the first respondent corporation, died on 27.05.2013, leaving behind the petitioner as his legal heir and his mother also died on 11.02.1985. The petitioner has given representations dated 13.06.2014, 30.09.2014, 24.12.2014 and 09.03.2015, to the respondents to provide an employment on compassionate grounds based on his educational qualification. After receiving such representations, the first respondent directed the petitioner to produce original documents regarding compassionate appointment. Thereafter, the petitioner sent another representation dated 26.06.2015 along with necessary documents as directed by the first respondent. After receiving the said representation, once again the first respondent has asked some documents by letter dated 01.07.2015 vide proceedings in Na.Ka.No.5402/2015/C1 (Center) and also directed the petitioner to produce some more documents before the second respondent regarding the compassionate appointment. But, till date no steps have been taken, in this regard. Therefore, suitable direction may be issued to consider the petitioner's representation.

5. After taking notice, the learned Standing counsel appearing for the respondents sought for six weeks time to consider the representation of the petitioner.

6. Considering the limited prayer sought for in the writ petition, without going into the merits of the case, this Court directs the first respondent to consider the petitioner's representation dated 27.05.2017 and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the Connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner,
Thiruchirappalli City Municipal Corporation,
Bharatnagar Salai,
Thiruchirappalli.



2. The Assistant Commissioner,
Golden Rack Zone,
Thiruchirappalli City Municipal Corporation,
Thiruchirappalli.

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+1cc to Mr.N.S.Karthikeyan, Advocate sr.No.65430
+1cc to Mr.R.Mathiyalagan, Advocate Sr.No.65192

PSD/NS

VB/KK/SAR3/24/10/2017/3P/5C

W.P (MD) No.12972 of 2017
and
W.M.P. (MD) No.10057 of 2017

13.07.2017