



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.13233 of 2017

M.Parameswari

... Petitioner

vs.

1.The Secretary to the Government,  
Municipal Administration & Water Supply Department,  
Fort St. George, Chennai-9.

2.The Assistant Director of Town Panchayat,  
Tirunelveli District, Tirunelveli.

3.The Executive Officer,  
Selection Grade Town Panchayat,  
Veeravanallur, Ambasamuthram Taluk,  
Tirunelveli District.

... Respondents

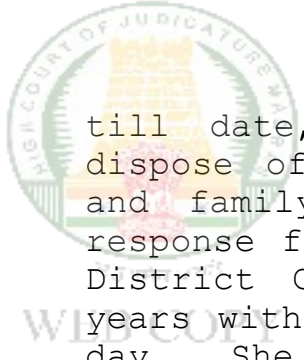
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to provide the service benefits of the deceased S.Mariappan and family pension to the petitioner and to give appointment on compassionate ground either to petitioner or to her daughter namely Gomathi.

|                         |                                                        |
|-------------------------|--------------------------------------------------------|
| For Petitioner          | : Ms.Priscilla                                         |
| For Respondents 1 and 2 | : Mr.D.Muruganantham,<br>Additional Government Pleader |
| For Respondent no.3     | : Mr.S.Sadeesh Kumar,<br>Additional Government Pleader |

#### ORDER

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

2.The petitioner is the widow of the late Mariappan, who worked as a Watchman in the office of the third respondent Town Panchayat for nearly 29 years. However, he died on 21.09.2011, while in service. After his death, the petitioner had to shoulder entire family responsibility, as there is no other breadwinner to their family. After getting the Death Certificate on 29.09.2011 and legal heirship Certificate on 02.12.2011 and also widowhood certificate on 27.12.2012, she made an application before the third respondent/the Executive Officer to consider her representation seeking compassionate appointment to her. However,



till date, the third respondent has neither come forward to dispose of the representation nor disburse the service benefits and family pension of her husband and therefore, finding no response from the third respondent, the petitioner approached the District Collector, Tirunelveli District, after a lapse of 2½ years with another representation on 14.07.2014, on the grievance day. She had made another representation on 15.09.2014 through Registered Post to provide service benefits of the deceased husband and also to give appointment either to her or to her daughter. However, since there is no response, the petitioner is before this Court with this writ petition.

3.Mr.D.Muruganatham, learned Additional Government Pleader, takes notice for the respondents 1 and 2 and would submit that if sufficient time is granted to the respondents, the petitioner's case would be considered.

4.However, this Court is not inclined to grant time. The reason is that it is the admitted case of the petitioner that her husband, while serving as Watchman in the Water Head Work of the third respondent Town Panchayat died on 21.09.2011. It is also stated that he was sponsored through the Employment Exchange. Therefore, when he died leaving behind the petitioner, the respondents are bound to consider her application. Hence, the second and third respondents are directed to consider the representation of the petitioner, in the light of the proceedings of the 2<sup>nd</sup> respondent, dated 15.07.2014, within a period of eight weeks from the date of receipt of copy of this order.

5.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

/ True Copy /

Sub Assistant Registrar(C.S.)

To

The Secretary to the Government,  
Municipal Administration & Water Supply Department,  
Fort St. George, Chennai-9.

+1cc to M/S.A.RAJINI, Advocate SR.No.66306

+1cc to the Special Government Pleader, SR.No.66959

mrn/RR

MAS/KP/SAR2:07.08.2017:2P-4C

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