



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :09.11.2016

CORAM:

THE HONOURABLE Dr.JUSTICE S.VIMALA

W.P. (MD) No.19665 of 2016

and

W.M.P (MD) No.14173 of 2016

P.Senthil

... Petitioner

Vs.

1.The Secretary to the Government,
Department of Town Planning and drinking Water Supply,
Secretariat, St.George Fort, Chennai.

2.The Director of Municipal Administration,
Ezhilagam, Chepauk, Chennai.

3.The Commissioner,
O/o.the Commissioner,
Dindigul Corporation,
Dindigul.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Declaration directing the 2nd respondent to appoint the petitioner as a sweeper in the 3rd respondent corporation as per the recommendation of the 3rd respondent through his proceedings Na.Ka.No.6720/2014/H2 dated 10.04.2015 on compassionate ground within a time frame fixed by this Hon'ble Court.

For Petitioner	: Mr.A.Rajini
For R1 & R2	: Mr.Mohamed Mohideen
For R3	: Mr.J.Lawrence

ORDER

This is a Writ of mandamus, seeking direction to the Municipal Corporation, Chennai and the Commissioner, Dindigul Corporation, to appoint the petitioner as Sweeper in the third respondent Corporation, as per the recommendation of the third respondent, dated **(*)10.04.2015**.

2.Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3.The petitioner's mother, who was working as a sweeper in the third respondent Corporation for nearly +25 years, died while in service. By the proceedings dated 10.04.2015, the third respondent made recommendation to the second respondent to appoint the petitioner on compassionate ground. In the communication dated 10.04.2015, it is stated by the Commissioner that out of 451 posts



of sanitary workers required, only 257 posts have been filled up and remaining 194 posts are kept vacant and therefore, the petitioner must be permitted to fill up the post on compassionate ground.

4.The learned counsel for the petitioner would submit that considering the penurious circumstances, under which, the petitioner is placed, there must be a direction to the second and third respondents to appoint the petitioner as sweeper as quickly as possible and in any event, within a period of two weeks from the date of receipt of a copy of this order.

5.It is agreeable for the learned counsel for the respondents to consider the request of the petitioner and to pass orders.

6.Under such circumstances, the respondents 2 and 3 are directed to give appointment to the petitioner on compassionate ground in tune with G.O.Ms.No.377, dated 31.08.2016 issued in favour of the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

7.The writ petition is disposed of accordingly. No costs. Consequently, connected W.M.P.is closed.

Sd/
Assistant Registrar(T & P)

/TRUE COPY/

**(*)Corrected order of this Hon'ble
Court dated 28.02.2017 by SVNJ**

Sub Assistant Registrar

To

To be substituted order copy already despatched on 14.02.2017.

1.The Secretary to the Government,
Department of Town Planning and drinking Water Supply,
Secretariat, St.George Fort, Chennai.

2.The Director of Municipal Administration,
Ezhilagam, Chepauk, Chennai.

3.The Commissioner,
O/o.the Commissioner, Dindigul Corporation, Dindigul.

+1cc to M/s.J.Lawrance, Advocate, in SR No.67992.

+1cc to Special Government Pleader in SR.No.67427.

W.P. (MD) No.19665 of 2016
09.11.2016

nbj

mms-skn/sar3/14.02.17/p2/6c

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

CSL/SV-MMS/09.03.2017 : 2P/6C