

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2018

CORAM :

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No.29840 of 2011

A.Mariyammal

..Petitioner

Vs.

1. The Secretary to Government of Tamil Nadu,
Revenue Department,
Fort St. George,
Chennai - 600 009.
 2. The District Collector,
Villupuram Collector Office,
Villupuram District,
Villupuram.
 3. The Tahsildar,
Tindivanam Taluk Office,
Tindivanam.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the first respondent to consider and pass order on the appeal petition dated 10.03.2011 and filed by the petitioner for the compassionate ground appointment for her son A.Suresh within a reasonable time.

For Petitioner : Mr.P.Chandrasekaran

For Respondents : Mr.M.Karthikeyan
Additional Government Pleader - R1 to R3

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O R D E R

This Writ Petition has been filed to direct the first respondent to consider and dispose of the appeal petition filed by the petitioner on 10.03.2011 for appointment of the son of the petitioner on compassionate ground .

2. According to the petitioner, the petitioner has

submitted an application to the second respondent for granting family pension and for appointing the petitioner's son on compassionate ground on the death of her husband, who was working as a Village Assistant in the third respondent office. The third respondent has sanctioned family pension and rejected appointment of the petitioner's son on compassionate ground by stating the reason that the said application has been made beyond three years from the date of the death of the petitioner's husband. But according to the petitioner, the said application was preferred within the time.

3. Challenging the said Order of rejection passed by the third respondent, the petitioner approached the second respondent and the request made by the petitioner was rejected by the second respondent. Therefore, being aggrieved by the Order of the second respondent dated 04.01.2011, the petitioner has preferred an appeal before the first respondent on 10.03.2011 to set aside the Order of the second respondent dated 04.01.2011 vide proceedings in No.A4/31805 of 2010. The appeal filed by the petitioner against the rejection of the request made by the petitioner for appointment of her son on compassionate ground is still pending before the first respondent. Therefore, the petitioner has filed this Writ Petition to direct the first respondent to dispose of the appeal filed by the petitioner as expeditiously as possible, within the time fixed by this Court.

4. The learned Additional Government Pleader appearing for the respondents on instructions submitted that the appeal filed by the petitioner is still pending before the first respondent and no Order has been passed in the said appeal.

5. Considering the above submissions, without going to the merits of the case, this Court directs the first respondent to dispose of the petitioner's appeal dated 10.03.2011, on merits and in accordance with law, as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this Order.

6. With the above observations, this Writ Petition is disposed of.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

vrc

To

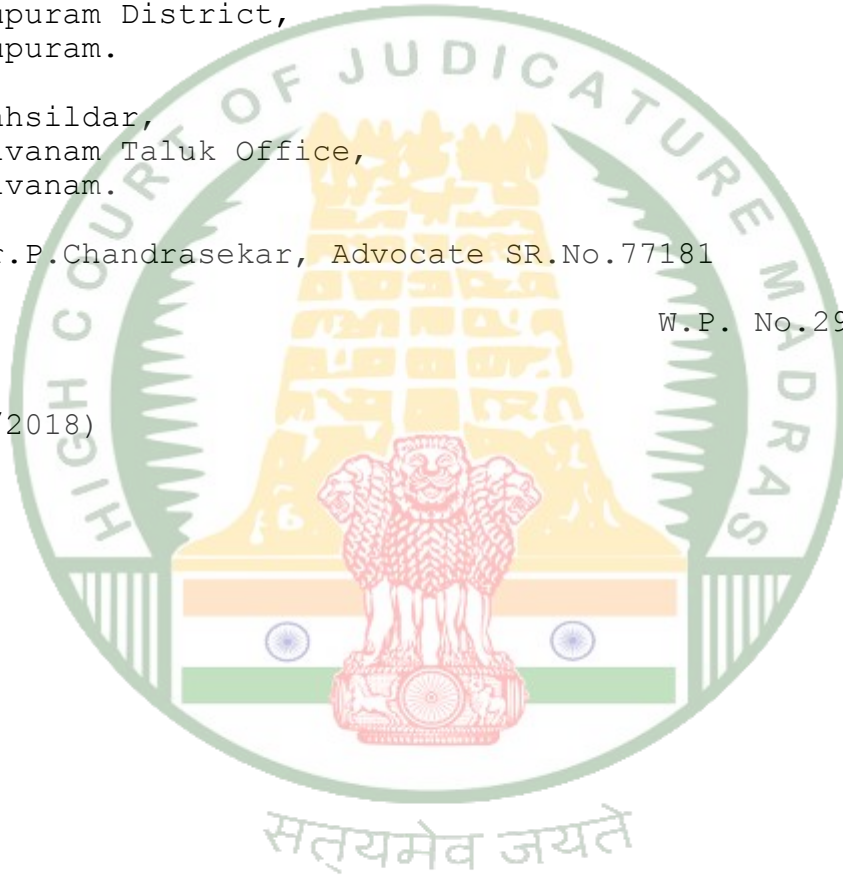
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+1cc to Mr.P.Chandrasekar, Advocate SR.No.77181

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CNR(CO)

GMV(11/12/2018)



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