



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2018

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.[MD]No.13301 of 2014

K.R.Soundaravalli

: Petitioner

Vs.

1.The Director,
Department of Medical and Rural Health Services,
Teynampet,
Chennai - 600 006.

2.The Joint Director of Health Services,
Dindukul,
Dindukul District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the first respondent to consider petitioner's representation dated 21.08.2012 and it is referred as R/267681/DG/2012 dated 07.09.2012 and to give employment to petitioner's daughter K.R.Usha on compassionate ground.

For Petitioner :Mr.P.Sesubalan Raja

For Respondents :Mr.S.Dhayalan
Government Advocate

O R D E R

The petitioner has filed the present writ petition for issuance of a Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 21.08.2012 which is referred as R/267681/DG/2012 dated 07.09.2012 and to give employment to petitioner's daughter K.R.Usha on compassionate ground.

2.Heard the learned Counsel for the petitioner and the learned Government Advocate appearing for the respondents.

3.The petitioner's husband passed away on 18.06.2006, leaving behind the petitioner i.e., wife and two children. The first daughter of the petitioner has completed B.Sc., degree and her date of birth is 05.09.1985. She has also completed Shorthand in English and Tamil Typewriting. But, the request of the petitioner for compassionate appointment for her daughter dated 22.01.2007

has not been considered.

4.The learned Counsel for the petitioner would submit that when the petitioner's daughter is eligible even as per the counter affidavit of the respondents, there shall be a direction to the respondents to consider the case of the petitioner's daughter for appointment.

5.The learned Government Advocate appearing for the respondents would submit that it is true that the petitioner's husband passed away and the petitioner has made an application for compassionate appointment for her daughter K.R.Usha on 22.01.2007. The petitioner's daughter is found to be eligible for the post of Junior Assistant, as on the date of application she has cleared S.S.L.C. However, the respondents are maintaining a separate list of the candidates who are eligible for appointment on compassionate ground and that the petitioner's daughter is at Sl.No.236. As on date, up to Sl.No.124A, compassionate appointments have been made. He would further submit that as and when the vacancy arises, the case of the petitioner's daughter namely, K.R.Usha, will be considered.

6.Taking note of the submissions made by the learned Government Advocate appearing for the respondents, there cannot be any specific direction to the respondents to overlook the seniority maintained by them, as the petitioner's daughter is eligible for compassionate appointment and that her name is in the seniority list and as and when the vacancy arises, the petitioner's daughter shall be provided with employment. In fine, since the case of the petitioner's daughter is under favourable consideration and her name is kept in the wait list, no further order is required to be passed in this petition.

7.This Writ Petition is disposed of, accordingly. No costs.

Sd/-

Assistant Registrar (Protocol)

// True Copy //

Sub Assistant Registrar(CS-III)

To

1.The Director,
Department of Medical and Rural Health Services,
Teynampet,

<https://hcservices.chennai.gov.in/hcservices> 006.



2.The Joint Director of Health Services,
Dindukul,
Dindukul District.

+1 CC TO SPECIAL GOVERNMENT PLEADER, IN SR NO.79670

WEB COPY

MR

BU/PM/SAR-III :31.10.2018 : 3P/4C

W.P. [MD]No.13301 of 2014
21.08.2018