



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2018

CORAM :

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THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P (MD) No.13636 of 2018

and

M.P. (MD) No.12405 of 2018

M.Kallanai

... Petitioner

Vs.

1. The District Collector,
Madurai, Madurai District.

2. The Commissioner,
Panchayat Union East,
Race-Course Road,
Chokkikulam, Madurfai,
Madurai District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to provide employment to the petitioner on compassionate ground in any entry level post by taking into account of his indigent circumstances and by considering the petitioner's representation dated 25.04.2018 and 02.05.2018 within the period that may be stipulated by this Court.

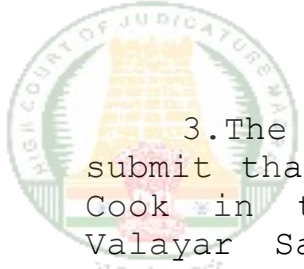
For Petitioner : Mr.A.Nawaz Khan

For Respondents : Mr.M.Murugan, G.A. For R1
Mr.M.Karuppasamy for R2

O R D E R

The prayer sought for in this writ petition is for a writ of Mandamus, directing the respondents to provide employment to the petitioner on compassionate ground in any entry level post by taking into account of his indigent circumstances and by considering the petitioner's representation dated 25.04.2018 and 02.05.2018 within the period that may be stipulated by this Court.

2. Heard Mr.A.Nawaz Khan, learned counsel appearing for the petitioner and M.Murugan, learned Government Advocate appearing for the first respondent and Mr.M.Karuppasamy, learned standing counsel appearing for the second respondent.



3.The learned counsel appearing for the petitioner would submit that the petitioner's father one Muppili was working as a Cook in the Noon Meal Programme at Panchayat Union School, Valayar Sakkudi, Madurai District and he died in harness on 01.03.2016. The petitioner is the only legal heir of the said deceased employee. Therefore, since the only breadwinner is no more, in order to shoulder the family responsibilities, the petitioner made a request on 25.04.2018 to the respondents seeking compassionate appointment. Along with the said representation, the petitioner had annexed all necessary documents for consideration. However, the same has not so far been considered. Hence, the learned counsel appearing for the petitioner would submit that, if the said request of the petitioner dated 25.04.2018 is directed to be considered and an order to that effect to be passed, within a time frame, the petitioner would be satisfied.

4.I have heard the learned Government Advocate appearing for the first respondent, who would submit that if at all the consideration has to be made, it is only by the second respondent. Mr.M.Karuppasamy, learned counsel appearing for the second respondent would submit that the said request of the petitioner dated 25.04.2018 would be considered on merits and an order to that effect would be passed by the second respondent, within a time frame.

5.Considering the said circumstances of the case and after having heard the learned respective counsel appearing for the petitioner as well as the respondents, this Court is inclined to pass the following order:

"The second respondent is directed to consider the representation/application of the petitioner dated 25.04.2018, with regard to his claim of compassionate appointment, on merits and in accordance with law and pass orders thereon, within a period of six weeks from the date of receipt of a copy of this order".

6.With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/



To

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The District Collector,
Madurai,
Madurai District.

+ 1 CC TO M/s.AJMAL ASSOCIATES, IN SR No. 70058
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 70228

ARUL

TE/SKN/SAR-2 : 01/10/2018 : 3P/4C

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