



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.13580 of 2018

P.Varadharajan

... Petitioner

-Vs-

1.The Principal Secretary to Government of Tamil Nadu,
Department of Revenue and Disaster Management,
Secretariat, Chennai.

2.The Commissioner of Revenue Administration,
Ezhilgam, Chepauk,
Chennai.

3.The District Collector,
Pudukkottai District.

4.The Revenue Divisional Officer,
Iluppur Post and Taluk,
Pudukkottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to provide employment to the petitioner under the scheme of compassionate appointment within the time to be stipulated by this Court.

For Petitioner	: Mr.P.Ganapathi Subramanian
For Respondents	: Mrs.S.Srimathy Special Government Pleader

ORDER

The prayer sought for herein is for a Writ of Mandamus, directing the respondents to provide employment to the petitioner under the scheme of compassionate appointment, within the time to be stipulated by this Court.

2.Heard Mr.P.Ganapathi Subramanian, learned counsel appearing for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents.



3.The petitioner's father was working as Village Administrative Officer and during service, he met with an accident on 07.09.2013. In the result, in spite of the long treatment having been given, he become in a coma stage and ultimately, died on 02.09.2014. Even though the petitioner's mother was working as Village Health Nurse and she was permitted only 75% of the pension. Since the head of the family i.e., father of the petitioner died, during service and the petitioner's mother also retired and received only 75% pension. There is no other source of income for the entire family consisting of the petitioner and two sisters of the petitioner. Therefore, the petitioner in order to get compassionate appointment with the respondent Department has given a representation on 04.12.2017, especially to the third respondent.

4.The learned counsel appearing for the petitioner submits that if the said representation of the petitioner is directed to be considered on merits and an order to that effect is directed to be passed within a time frame, the petitioner would be satisfied.

5.I have heard Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents who would submit that, the said representation of the petitioner, dated 04.12.2017, seeking compassionate appointment, would be considered on merits and an order to that effect would be passed within a time frame.

6.Considering the said submissions made by both sides and taking note of the limited scope of the writ petition, this Court is inclined to pass the following order:-

"that the third respondent is directed to consider the representation of the petitioner, dated 04.12.2017, regarding the compassionate appointment and decide the same, on merits and in accordance with law, by taking into account the indigent circumstances of the family of the petitioner and pass orders thereon, with regard to the said claim of the compassionate appointment, within a period of six weeks from the date of receipt of a copy of this order."

7.With this direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (ADI)

// True Copy //

Sub Assistant Registrar(CS-I)



To

1.The Principal Secretary to Government of Tamil Nadu,
Department of Revenue and Disaster Management,
Secretariat,
Chennai.

2.The Commissioner of Revenue Administration,
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Chennai.

3.The District Collector,
Pudukkottai District.

4.The Revenue Divisional Officer,
Iluppur Post and Taluk,
Pudukkottai District.

+1 CC To Mr.P.Ganapathi Subramanian, Advocate SR. NO. 70139
+1 CC TO The Special Government Pleader SR.NO. 69956

W.P. (MD) No.13580 of 2018
26.06.2018

RMI

TR/RP/SAR-I (17.10.2018) 3P 7C