



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 30.08.2018
CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

WEB COPY

W.P.(MD)No.7677 of 2014
and
M.P.(MD)No.1 of 2014

Sajin ... Petitioner

Vs.

1.The Director General of Police,
O/o Director General of Police,
Chennai - 4.

2.The Superintendent of Police,
O/o. Superintendent of Police,
Nagercoil,
Kanyakumari District.

... Respondents

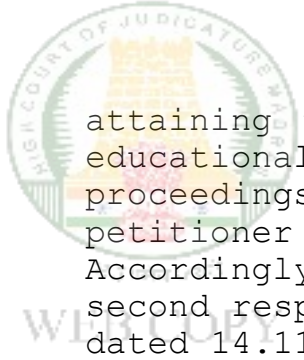
PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings in Na.Ka.No.A2/46799/2013, dated 14.11.2013 with regard to compassionate appointment of the petitioner and quash the same and consequently, direct the respondents to appoint the petitioner in the respondent Department on compassionate ground based on the representation dated 10.02.2001 and 17.09.2013 of the petitioner.

For Petitioner : Mr.S.Siva Thilakar
For Respondents : Mr.K.M.U.Muthu, AGP

ORDER

The petitioner has come forward with the present Writ petition to quash the proceedings in Na.Ka.No.A2/46799/2013, dated 14.11.2013 with regard to compassionate appointment of the petitioner and consequently, direct the respondents to appoint him in the respondent / Department on compassionate ground based on his representations dated 10.02.2001 and 17.09.2013.

2.The petitioner has stated that his father died while he was in service as Head Constable and thereafter, the petitioner's mother namely, T.Shanthakumari, who was appointed as Sweeper on compassionate ground, has also died on 21.08.1999 while she was in service. Hence, the petitioner sent a representation to the respondents for appointment on compassionate ground. Accordingly, the first respondent has sent a communication dated 23.06.2001, stating that the request of the petitioner would be considered on



attaining the majority of the petitioner as well as the required educational qualification as per rules and regulations. By a proceedings dated 29.10.2013 the second respondent asked the petitioner to furnish necessary particulars along with documents. Accordingly, the petitioner has submitted all particulars to the second respondent. But, the second respondent by the impugned order dated 14.11.2013 rejected the request of the petitioner stating that the petitioner has not submitted application seeking compassionate appointment within 3 years from the date of death of his mother by quoting G.O.Ms.No.120 Labour and Employment Department, dated 26.06.1995. Aggrieved by the same, the petitioner is before this Court with the present Writ petition for the aforesaid relief.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. The first respondent by a communication dated 23.06.2001 in Na.Ka.No.94475/Ka.A.Ni.2/2001 has given a promise that the request of the petitioner for compassionate appointment would be considered on attaining majority. However, by way of the present impugned order dated 14.11.2013 rejected such request of the petitioner.

5. In view of the communication of the first respondent dated 23.06.2001, the impugned order is set aside and the respondents are directed to consider the request of the petitioner for appointment on compassionate ground, within a period of 2 months from the date of receipt of a copy of this order. The Writ petition is disposed of accordingly. No costs. Consequently, connected M.P. is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Director General of Police,
O/o Director General of Police, Chennai - 4.

2. The Superintendent of Police,
O/o. Superintendent of Police,
Nagercoil, Kanyakumari District.

+1CC to Mr.S.Siva Thilakar, Advocate, SR.No.81924
+1CC to the Special Government Pleader SR.No.81643

W.P. (MD) No.7677 of 2014
30.08.2018

NBJ

ES/SV/SAR 1/10.10.2018/2P/5C