



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.15523 of 2018

WEB COPY

M.Geetha

... Petitioner

Vs.

- 1.The Government of Tamilnadu,
Represented by its Secretary to Government,
Transport Department, Secretariat,
Chennai-600 009.
- 2.The Managing Director,
Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Railway Station Road,
Kumbakonam,
Thanjavur District.
- 3.The General Manager,
Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Periyamilaaguparai,
Trichy.
- 4.The Administrator,
Tamilnadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai-600 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents Corporation to provide with an employment on compassionate grounds to the petitioner's son namely Giridharan in a suitable post in the respondents corporation depending upon his qualification within the time frame that may be stipulated by this Court.

For Petitioner	: Mr.N.Sudhagar Nagaraj
For R1	: Mrs.S.Srimathi, Special Government Pleader
For R2 to R4	: Mr.D.Sivaraman

ORDER

The prayer sought for herein, is for a Writ of Mandamus, to direct the respondents Corporation to provide an employment on compassionate grounds to the petitioner's son namely Giridharan, in a suitable post in the respondents corporation, depending upon his



qualification, within the time frame that may be stipulated by this Court.

2. Heard Mr.N.Sudhagar Nagaraj, learned counsel for the petitioner, Mrs.S.Srimathy, learned Special Government Pleader appearing for the first respondent and Mr.D.Sivaraman, learned counsel appearing for the respondents 2 to 4.

3.The learned counsel for the petitioner would submit that the petitioner's husband was working at the respondent corporation from 1989 onwards. After long years of service, on 20.06.2013, while he was in service, he suddenly died. At the time of death of the petitioner's husband, the petitioner's only son was about 17 years, therefore, he was not major. Hence, the petitioner had claimed to have given a representation in December, 2014, requested the respondent to appoint the petitioner's son, Giridharan, on compassionate ground. However, no action was taken. Therefore, the petitioner had given now another representation dated 16.04.2018 and if the said representation is directed to be considered by the respondents, within a time frame and an order to that effect is directed to be passed, the petitioner would be satisfied.

4.The learned counsel for the respondent would submit that the petitioner has made a representation only on 16.04.2018 and there is no proof that the petitioner has made a earlier representation in December, 2014. Even in this representation, she seeks compassionate appointment to her son, however, her son has not filed any application before the respondent. At any rate, since, the petitioner being the widow of the deceased employee of the respondent corporation, has made an application on 16.04.2018 that would be considered on merits and in accordance with law within a time frame.

5.I have considered the submissions made on behalf of by both the parties. In view 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 16.04.2018 and pass order on merits, within a period of eight weeks from the date of receipt of a copy of this order."

6. With this direction, this writ petition is disposed of. No costs.

Sd/
Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar (CS-IV)



To

The Secretary to Government,
Government of Tamilnadu,
Transport Department, Secretariat,
Chennai-600 009.

+1cc to Mr.N.SUDHAGAR NAGARAJ, Advocate, SR.No. 73663

+1cc to Mr.D.SIVARAMAN, Advocate, SR.No.73562

+1cc to M/s.Special Government Pleader, SR.No.73552

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PNN

KK/RSK/SAR-4/11.12.2018/3P-5C