



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)Nos.15868 to 15873 of 2018

R.Balamurugan	... Petitioner in WP(MD).15868/2018
N.Krishnaveni	... Petitioner in WP(MD).15869/2018
R.Mayakrishnan	... Petitioner in WP(MD).15870/2018
L.SenthilKumaran	... Petitioner in WP(MD).15871/2018
D.Arjunan	... Petitioner in WP(MD).15872/2018
S.Vignesh	... Petitioner in WP(MD).15873/2018

-Vs-

- 1.The Additional Chief Secretary and
Commissioner of Revenue Administration,
Ezhilagam, Chepauk, Chennai-600 005.
2. The District Collector,
Virudhunagar District,
Virudhunagar. ... Respondents (in all petitions)

Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent i.e., the Additional Chief Secretary and Commissioner of Revenue Administration, Chennai to pass appropriate orders on the petitioner's representation dated 25.05.2018 in the light of G.O.Ms.No.1499 Labour and Employment Department dated 03.08.1989, and orders in W.P.(MD)No.69 of 2010 dated 22.04.2010, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam
in all writ petitions

For Respondents : Mr.K.Saravanan,
in all writ petitions Government Advocate.

COMMON ORDER

The prayer sought for in all these Writ Petitions are for a Writ of Mandamus, directing the first respondent i.e., the Additional Chief Secretary and Commissioner of Revenue Administration, Chennai, to pass appropriate orders on the



petitioners' representations dated 25.05.2018, in the light of G.O.Ms.No.1499, Labour and Employment Department, dated 03.08.1989, and orders in W.P.(MD)No.69 of 2010 dated 22.04.2010, within a specified time frame that may be fixed by this Court.

2. Heard Mr.S.Visvalingam, learned counsel appearing for the petitioners in all Writ Petitions and Mr.K.Saravanan, learned Government Advocate, who takes notice on behalf of the respondents in all Writ Petitions.

3. In all these cases, the petitioners are the similarly placed persons and they seek for similar or common relief from the respondents and the facts are almost similar. Therefore, these Writ Petitions with the consent of both sides are disposed of by this common order at the stage of admission itself.

4. All these petitioners were appointed as Office Assistants at the respondent Department at various points of time on compassionate ground. It is to be noted that, at the time of making such appointments on compassionate ground, each of the petitioners was having necessary qualifications to be considered for appointment to the post of Junior Assistants. It is also to be noted that, at the time of making such appointments, there had been vacancies available in the respondent Department / Office for the post of Junior Assistants. Nevertheless, these petitioners were considered and appointed only as Office Assistants on compassionate ground.

5. It is further to be noted that, at the time of making the appointments, despite the vacancies for the post of Junior Assistants were available, these petitioners had been given only as Office Assistants.

6. Therefore, in order to redress their grievances to consider the candidature for the appointment to the post of Junior Assistants, since the petitioners having qualification right from the date one on compassionate ground, the petitioners have made individual representations to the respondents on 25.05.2018 and if the said representations are directed to be considered and an order to that effect is directed to be passed on merits and in accordance with law, within a time frame stipulated by this Court, the petitioners would be satisfied.

7. I have heard the learned Government Advocate, who would submit that, the said representations of the petitioners dated 25.05.2018 would be considered by the respondents on merits and an order to that effect would be passed within a time frame.

8. Considering the said submissions made by both sides, and taking into account the factual matrix of these cases, this Court is inclined to pass the following order:-

<https://hcservices.ecourts.gov.in/hcservices/cas/> that the respondents are directed to consider the representations given by each of the petitioners



herein dated 25.05.2018 and decide the grievances of the petitioners to consider their candidature for the purpose of appointment on compassionate ground to the post of Junior Assistants, as they had been having the qualification for holding the posts even from the initial stage i.e., the time of consideration of earlier application for compassionate ground and since the vacancies are claimed to be available in the respondent Office for such accommodation, the respondents shall, accordingly, consider the said request of the petitioners and pass orders thereon on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order."

9. With this direction, these Writ Petitions are disposed of. No costs.

Sd/

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Additional Chief Secretary and
Commissioner of Revenue Administration,
Ezhilagam, Chepauk, Chennai-600 005.
2. The District Collector,
Virudhunagar District,
Virudhunagar.

+6 CC to Mr.S.Visvalingam, Advocate, SRNO.74071 to 74076
+1 CC to Spl.Govt. Pleader, SR.No.74330

Myr

SS/PM/SAR 3/19.12.2018/3P/10C

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