

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 01.08.2018****CORAM :****THE HONOURABLE MR.JUSTICE R.SURESH KUMAR****W.P (MD) No.16956 of 2018**

Anand

... Petitioner

Vs.

1. The Managing Director,
Tamilnadu State Transport Corporation Ltd.,
Tirunelveli Region, Tirunelveli.

2. The General Manager,
Tamilnadu State Transport Corporation Ltd.,
Nagercoil Region, Nagercoil,
Kanyakumari 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 herein to appoint the petitioner in any suitable post on compassionate grounds on the basis of the petitioner representation dated 06.04.2017.

For Petitioner : Mr.B.Jameel Arasu

For Respondents : Mr.K.Sathyasingh

O R D E R

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondents herein to appoint the petitioner in any suitable post on compassionate grounds on the basis of the petitioner representation dated 06.04.2017.

2.Heard Mr.B.Jameel Arasu, learned counsel appearing for the petitioner and Mr.K.Sathyasingh, learned standing counsel appearing for the respondents.

3.The learned counsel appearing for the petitioner would submit that the petitioner's father was working as Senior Conductor in the respondent Corporation and while he was in service, he died on 19.12.2001 leaving behind the petitioner's mother and two sisters and the petitioner as legal heirs. At that time of the death of the father, this petitioner was only 7 years



old. Since the other legal heirs are the widow and sisters of the petitioner and they were not qualified to get any appointment on compassionate ground, hence they could not immediately apply for appointment on compassionate ground. However, on attaining the majority, the petitioner had made application from 2012 onwards and after completion of his B.E.degree course, he made the latest application on 06.04.2017 seeking for compassionate appointment.

4.The learned counsel appearing for the petitioner would submit that if the said representation dated 06.04.2017 made by the petitioner seeking compassionate appointment is directed to be considered on merits and in accordance with law and an order to that effect is directed to be passed, within a time frame, the petitioner would be satisfied.

5.I have heard the learned standing counsel appearing for the respondents Corporation, who would submit that the said representation of the petitioner dated 06.04.2017 would be considered on merits and in accordance with law and an order to that effect would be passed, within a time frame.

6.Considering the limited scope of the writ petition and by taking into account the arguments advanced by both sides, this Court is inclined to pass the following order:

"The respondents are directed to consider the representation of the petitioner dated 06.04.2017 and pass orders thereon, on merits and in accordance with law, with regard to the grievance of the petitioner for compassionate appointment by taking into account the present penurious circumstances and indigent conditions of the petitioner's family and accordingly take a pragmatic view by deciding the said request and pass orders thereon, within a period of six weeks from the date of receipt of a copy of this order."

7.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(crl side)

/True Copy/

Sub Assistant Registrar(Cs-IV)

To

1. The Managing Director,
Tamilnadu State Transport Corporation Ltd.,
Tirunelveli Region, Tirunelveli.



2. The General Manager,
Tamilnadu State Transport Corporation Ltd.,
Nagercoil Region, Nagercoil,
Kanyakumari District.

+1cc to Mr.B.Jameel Arasu, Advocate Sr.No.76417
+1cc to Mr.K.Sathyasingh, Advocate Sr.No.76488

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VB/PM/SAR4/17.10.2018/3P/5C

W.P (MD) No.16956 of 2018
01.08.2018