



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD).No.17710 of 2018

A.Ganesan

...Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of Municipal Administration,
and Water Supply,
Secretariat, Chennai-600 009.

2.The Commissioner,
Department of Municipal Administration,
and Water Supply, Chepauk,
Chennai-05.

3.The Commissioner,
Dindigul Corporation, Dindigul-02.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent Nos.1 and 2 to dispose the proposal made by the respondent No.3 in Na.Ka.No.6720/2014/H2 dated 04.01.2018 seeking permission to appoint the petitioner as Sweeper on compassionate ground with the respondent No.3 Corporation with consequential benefits within the time period stipulated by this Court.

For Petitioner

: Mr.T.Thirumurugan

For R1 & R2

: Mr.R.Sethuraman

Special Government Pleader

For R3

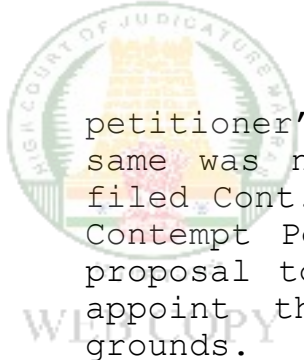
: Mr.J.Lawrance

ORDER

This Writ Petition has been filed to appoint the petitioner as Sweeper on compassionate grounds in the third respondent's Office and also to direct the first and second respondents to dispose the proposal made by the third respondent in Na.Ka.No.6720/2014/H2 dated 04.01.2018.

2. The case of the petitioner is as follows:-

The petitioner's mother was working as a Sanitary Worker in the third respondent / Corporation. She died on 02.11.2014, while she was in service. Therefore, the petitioner made a representation to the third respondent seeking compassionate appointment. Since there was no action by the respondents, the petitioner filed W.P.(MD). No.6742 of 2017, before this Court and the same was disposed of on 08.06.2017, with a direction to the third respondent to consider the



petitioner's representation within a period of six weeks. But the same was not complied with by the third respondent. Hence, he filed Cont.P.(MD).No.2349 of 2017. During the pendency of the said Contempt Petition, on 04.01.2018, the third respondent had sent a proposal to the first and second respondents seeking permission to appoint the petitioner as a Sanitary Worker on compassionate grounds.

3. According to the petitioner, on 31.07.2017, the first respondent has passed G.O.(Ms).No.306. The first respondent had appointed some persons on compassionate grounds as per the proposal sent by the third respondent. In this regard, on 03.07.2018, the petitioner submitted a representation to the respondents.

4. The learned Special Government Pleader appearing for the respondents 1 and 2 would submit that the first and second respondents are prepared to consider the proposal sent by the third respondent and are yet to pass suitable orders on the same.

5. In view of the limited scope of the prayer sought for by the petitioner, the respondents, more particularly the first and second respondents are directed to consider the proposal sent by the third respondent and to pass appropriate orders on the same sympathetically, on merits and in accordance with law, preferably, within a period of twelve weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above directions. No costs.

Sd/
Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar(CS-I)

To

- 1.The Principal Secretary,
Department of Municipal Administration,
and Water Supply,
Secretariat, Chennai-600 009.
 - 2.The Commissioner,
Department of Municipal Administration,
and Water Supply, Chepauk,
Chennai-05.
 - 3.The Commissioner,
Dindigul Corporation, Dindigul-02.
- +1cc to Mr.T.THIRUMURUGAN, Advocate, SR.No. 80443
+1cc to Mr.J.LAWRANCE, Advocate, SR.No. 80403
+1cc to M/s.Special Government Pleader,SR.No. 80762

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