



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2018

CORAM:

WEB COPY

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN**

**W.P. (MD) No.22592 of 2018**

Rosy velankani

... Petitioner

vs.

1.The District Collector  
Dindigul District, Dindigul

2.The Commissioner  
Reddiyarchathiram Panchayat Union  
Reddiyarchathiram  
Dindigul District

3.The Special Officer  
Karisalpatti Village Panchayat  
Aathur Taluk  
Dindigul District

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus, directing the respondents to consider and grant appointment to the petitioner for any suitable post on compassionate basis by considering the representation of the petitioner dated 08.11.2016 and 08.01.2018 respectively within a stipulated time as fixed by this Honourable Court.

For Petitioner : Mr.A.Saravanan

For Respondents : Mr.J.Gunaseelan Muthiah

Additional Government Pleader

**O R D E R**

Heard the learned counsel for the writ petitioner.

2. The petitioner herein has filed Writ of Mandamus seeking compassionate appointment, since her husband died in harness while working as a Water Pumping Operator in the third respondent panchayat.

3. The learned Additional Government Pleader appearing for the respondents would submit the petitioner's husband was working as Water Pumping Operator with a consolidated pay of Rs.2530/- and died on 04.07.2016. The petitioner's was paid insurance claim of



Rs.3,00,000/- The post held by the husband of the petitioner is not a cadre post and appointment was by the resolution of Panchayat. Hence the petitioner is not entitled for any compassionate appointment.

4. The learned counsel for the petitioner would submit that her husband died in harness leaving behind two sons, one child 90% mentally retarded and other child is six years old. Since she is unable to meet her expenses for her livelihood, her request may be considered on sympathetic and humanitarian ground. The learned counsel for the petitioner would submit this court shall direct the respondents to consider the request for compassionate appointment sympathetically based on the merits of the case.

5. In the light of the facts, it is suffice to direct the respondents herein to consider the request of the petitioner and if she is eligible and law permits to appoint her on compassionate ground, the same may be considered and appropriate orders may be passed.

6. The Writ Petition is disposed of with the above direction. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (ADI)

// True Copy //

Sub Assistant Registrar(CS-I)

To:

- 1.The District Collector  
Dindigul District, Dindigul
- 2.The Commissioner  
Reddiyarchathiram Panchayat Union  
Reddiyarchathiram  
Dindigul District
- 3.The Special Officer  
Karisalpatti Village Panchayat  
Aathur Taluk  
Dindigul District

+1cc to Mr.A.Saravanan, Advocate, Sr.No.94936.

+1cc to Special Government Pleader Sr.No.94995.

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