



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:04.01.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No. 10184 of 2013

WEB COPY

P.Vairavan

... Petitioner

-vs-

1.The Government of Tamil Nadu,
represented by its Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai - 600 009.

2.The Director of Town Panchayats,
Kuralagam,
Chennai-600 108.

3.The District Collector,
Sivagangai District,
Sivagangai.

4.The Secretary,
Tamil Nadu Public Service Commission,
Omanathoorar Government Estate,
Anna Salai,
Chennai-600 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to consider the case of the Petitioner for appointment to the post of Junior Assistant on compassionate ground in accordance with the guidelines issued in G.O.Ms.No.206, Municipal Administration and Water Supply(Town Panchayats-1)Department, dated 2.11.1995 after getting necessary concurrence from the Fourth Respondent herein with all consequential benefits.

For Petitioner : M/s.C.Godwin

For Respondents : Mr.C.Selvaraj
1 to 4 Spl. Government Pleader

O R D E R

The relief sought for in this Writ Petition is to direct the first respondent to consider the case of the Petitioner for appointment to the post of Junior Assistant on compassionate ground in accordance with the guidelines issued in G.O.Ms.No.206, Municipal Administration and Water Supply(Town Panchayats-1) Department, dated 2.11.1995 after getting necessary concurrence

from the Fourth Respondent, with all consequential benefits.

2.The learned counsel for the Petitioner states that the Writ Petitioner was already appointed as Office Assistant. He was originally possessing +2 qualification and after getting graduation, the Writ Petitioner is of the opinion that he should be promoted to the post of Junior Assistant.

3.The learned Special Government Pleader appearing for the respondents would brought to the notice of this Court that the Writ Petitioner's father Mr.Pitchai had worked as Sanitary Supervisor in Thirupuvanam Special Grade Town Panchayat and he passed away on 21.6.2005, while he was in service. Subsequently, the Petitioner was appointed on compassionate grounds as Office Assistant. This apart, it is brought to the notice of this Court that the Executive Officer of the Thirupuvanam Town Panchayat, vide proceedings in Na.Ka.No.Aa.1/415/2006, dated 25.01.2007, had rejected the claim of the writ Petitioner stating that the Petitioner was entitled for appointment only in non-provincialised post.

4.The learned counsel for the Petitioner states that the said order of rejection had not been served to the Petitioner. However, this Court is unable to ascertain whether it was communicated during the relevant point of time to the Petitioner or not. However, the respondents are directed to serve a copy of the order of rejection, dated dated 25.1.2007 to the Writ Petitioner, within a period of four weeks from the date of receipt of a copy of this order.

5.With these observations, the Writ Petition stands closed. No costs.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To

1.The Secretary to Government,
Government of Tamil Nadu,
Municipal Administration and Water Supply Department,
Fort St.George,Chennai - 600 009.

2.The Director of Town Panchayats,
Kuralagam,
Chennai-600 108.

<https://hcscs.cds.gov.in/hcscs>
3.The District Collector,
Sivagangai District,
Sivagangai.



4.The Secretary,
Tamil Nadu Public Service Commission,
Omanathoorar Government Estate,
Anna Salai,
Chennai-600 002.

+1cc to Mr.C.GODWIN,Advocate,SR. 40222
+1cc to Mr.K.K.SENTHIL,Advocate,SR. 40467
+1cc to M/S.Special Government Pleader,SR. 40521

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