

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.3130 of 2019

Divya

... Petitioner

Vs

1. The District Collector,
Villupuram District,
Villupuram.

2. The Assistant Director Panchayat,
Kallakurichi,
Villupuram District.

3. The Block Development Officer,
Thiyagadurgam,
Kallakurichi Taluk,
Villupuram District.

4. Pandiyan

5. Kaveri

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to provide compassionate appointment to the petitioner for the death of petitioner's husband Balasubramanian, who died on 06.04.2017 based on the communication of the 3rd respondent dated 23.01.2018 and also sanction and disburse the terminal benefits of the petitioner's husband within a stipulated time.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.R.S.Selvam,
Government Advocate

O R D E R

The prayer made in this writ petition is to direct the respondents 1 to 3 to provide compassionate appointment to the petitioner for the death of her husband Balasubramanian, who

died on 06.04.2017 and also sanction and disburse the terminal benefits due to him, within a stipulated time.

2. According to the petitioner, her husband Balasubramanian was appointed as Assistant on 03.01.2013. Thereafter, he was transferred to the office of the Assistant Director of Panchayat, Kallakurichy on 11.11.2015 and to the office of the third respondent Panchayat on 16.09.2016. While so, due to harness, he died on 06.04.2017, by committing suicide, leaving behind his wife i.e., the petitioner, two minor children and parents. Since he left his legal heirs in penury and without any means of livelihood, the petitioner made an application to the third respondent seeking compassionate appointment. The third respondent, by his communication dated 23.01.2018, directed her to furnish certain documents. Accordingly, the petitioner submitted those documents to the third respondent as early as on 14.03.2018. However, the claim of the petitioner was not considered, till date. Hence, this writ petition.

3. Heard Mr.C.Prabakaran, learned counsel for the petitioner, who submitted that it would suffice, if the respondent authority is directed to consider the claim of the petitioner and pass orders, on merits and in accordance with law, for which, Mr.R.S.Selvam, learned Government Advocate taking notice for the respondents 1 to 3, has no serious objection.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondent authority to consider the claim of the petitioner seeking compassionate appointment, in the light of the documents furnished by her and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of in the above terms. No costs.

Sd/-
Assistant Registrar(CCC)
//True Copy//

Sub Assistant Registrar

vsi2

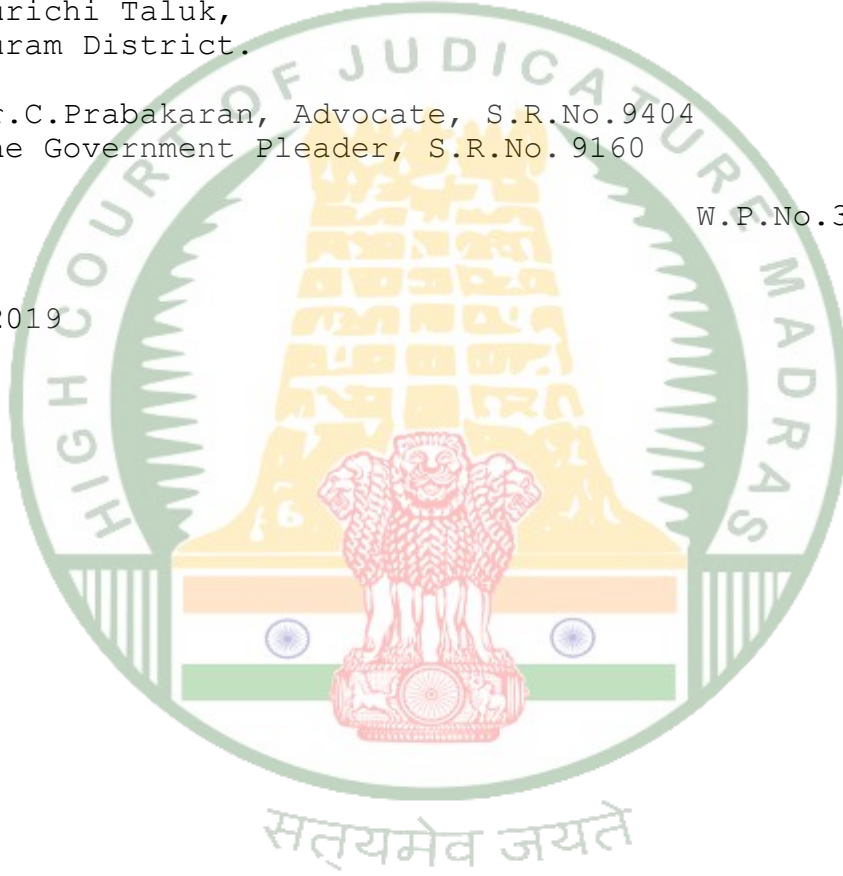
To

1. The District Collector,
Villupuram District,
Villupuram.
2. The Assistant Director Panchayat,
Kallakurichi,
Villupuram District.
3. The Block Development Officer,
Thiyagadurgam,
Kallakurichi Taluk,
Villupuram District.

+1cc to Mr.C.Prabakaran, Advocate, S.R.No.9404
+1cc to the Government Pleader, S.R.No. 9160

W.P.No.3130 of 2019

SV(CO)
CS/01/04/2019



WEB COPY