

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2019

CORAM

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

W.P.No.3423 of 2019
and W.M.P.No.3716 of 2019

Jo.Stella Mary

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Petitioner

Vs

1. The State of Tamil Nadu
rep. by its Secretary to Government
Education Department Fort St. George
Chennai-9.
2. The District Collector
Coimbatore
3. The Director of School Education, Chennai
4. The Assistant Director of School Education
Chennai-6
5. The Chief Educational Officer
O/o.The Chief Education, Coimbatore
6. The District Educational Officer
Pollachi Coimbatore
- 7 The Sacred Heart Womens Higher Secondary School
SH-78 Pollachi Valparai Road Pollachi-642127.

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Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 6th respondent herein to appoint the petitioner as Office Assistant on compassionate grounds in the 7th respondent school in the light of the proceedings of the District Educational Officer Pollachi dated 3.6.2014, 10.8.2017, 20.12.2017 and 16.11.2018.

For Petitioner : Mr.S.Saravanan
For Respondents : Mr.A.Raja Perumal, Additional
Government Pleader

O R D E R

The relief sought for in the present writ petition is to direct the sixth respondent to appoint the petitioner as Office Assistant on compassionate grounds in the seventh respondent school in the light of the proceedings of the District Educational Officer Pollachi dated 3.6.2014, 10.8.2017, 20.12.2017 and 16.11.2018.

2. The husband of the writ petitioner passed away on 03.05.2013 and in view of the sudden demise of the husband of the petitioner, the family was in penury circumstances. Thus, the petitioner submitted an application for appointment on compassionate grounds on 04.09.2013. The grievance of the petitioner is that the District Educational Officer also accepted the application submitted by the petitioner. However, no further action has been initiated to provide appointment to the petitioner. Thus, the writ petitioner is constrained to move the present writ petition.

3. This Court is of an opinion that the scheme of compassionate appointment is to be implemented strictly in accordance with the terms and conditions of the scheme and there cannot be any violation in respect of the terms stipulated in the scheme for compassionate appointment. Thus, the case of the writ petitioner shall be considered with reference to the rules, terms and conditions of the compassionate appointment scheme, and as per the seniority maintained by the competent authorities. In this view of the matter, the application submitted by the petitioner shall be considered by the respondents, in accordance with the rules for compassionate appointment. With these observations, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

KST

To

1. The Secretary to Government
Education Department Fort St. George
Chennai-9.
2. The District Collector
Coimbatore
3. The Director of School Education, Chennai
4. The Assistant Director of School Education
Chennai-6
5. The Chief Educational Officer
O/o. The Chief Education, Coimbatore
6. The District Educational Officer
Pollachi Coimbatore

+1cc to Mr.S.Saravanan, Advocate, S.R.No.10632

W.P.No.3423 of 2019

SR(CO)
CS/14/03/2019



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