

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2019

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAN

W.P.No.4753 of 2019

S.Santhakumari @ Santhi

... Petitioner

Versus

1.The Chief Engineer,
Highways Department,
Chepauk, Chennai - 600 005.

2.The Superintending Engineer,
Highways department,
C&M, Salem - 636 32.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to provide compassionate appointment to the petitioner within a time frame.

For Petitioner : Mr.K.M.Ramesh

For Respondent R1&2 : Mr.P.Rajalakshmi
Addl.Government Pleader

O R D E R

The writ on hand is filed for a direction to direct the respondents to provide compassionate appointment to the petitioner within a time frame. Undoubtedly, on account of the sudden demise of the husband of the writ petitioner, the following would have been in distress and in penurious circumstances.

2. The learned counsel for the writ petitioner states that an application seeking appointment had already been filed within the time limit. This apart, the name of the writ petitioner has been registered and placed in Sl.No.84 of the Compassionate Appointment seniority list. This Court is of the considered opinion that, the case of the writ petitioner cannot be considered in violation of the seniority list, which is being managed by the department. Equal opportunity for appointment even under the Compassionate Appointment is certainly mandatory and in the event of any violation, the same will infringe the

rights of other candidates who all are also waiting to get an opportunity under the scheme of Compassionate Appointment.

3. Thus, the Competent Authorities are bound to follow the seniority list and other eligibility criteria and the rules in force scrupulously and without any deviation. The case of the writ petitioner is also to be considered, along with other eligible candidates in the order of seniority list and strictly following the terms and condition of this scheme. with these observations, the writ petition stands disposed of. No Costs.

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

Pkn
To

1.The Chief Engineer,
Highways Department,
Chepauk, Chennai - 600 005.

2.The Superintending Engineer,
Highways department,
C&M, Salem - 636 32.

+1 CC to Govt. Pleader sr 16047.

+1 CC to Mr.K.M.Ramesh, advocate sr 15529.

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RV (CO)
SP (29/03/2019)

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