

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 06.02.2019

CORAM :
THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.3441 of 2018

J.Sudarvzhi

... Petitioner

Vs

The Tamil Nadu Transport Corporation,
Rep. by its General Manager,
Salem.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent to consider the petitioner's representation dated 22.06.2017 within a time frame that may be prescribed by this Court.

For Petitioner : Mr.P.Tamilavel

For Respondent : Mr.R.K.Gandhi
Standing Counsel

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondent to consider the petitioner's representation dated 22.06.2017.

2.The learned counsel appearing on behalf of the writ petitioner states that the writ petitioner's husband was working as Driver under the respondent Corporation for about 11 years and died on 10.01.2006, while he was in service. However, no application seeking appointment on compassionate grounds was made within a period of three years from the date of death of the Government employee.

3.Admittedly, the representation seeking appointment on compassionate grounds was submitted to the respondent only on 22.06.2017, after a lapse of 11 years from the date of death of the Government employee.

4.The factual inference to be drawn is that the penurious circumstances, which arose on account of the sudden demise of the Government employee, became vanished. The writ petitioner has not followed to avail the benefit of the scheme of compassionate appointment, as no application was submitted

within the permissible period of three years from the date of death of the Government employee. Thus, the writ petition is devoid of merits.

5.That apart, even in order to issue a direction to direct the respondent to consider the representation, the petitioner has to establish her legal right. In view of the fact that the petitioner has failed to establish any such legal right, this writ petition deserves no further consideration.

In the result, the writ petition stands dismissed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mkn

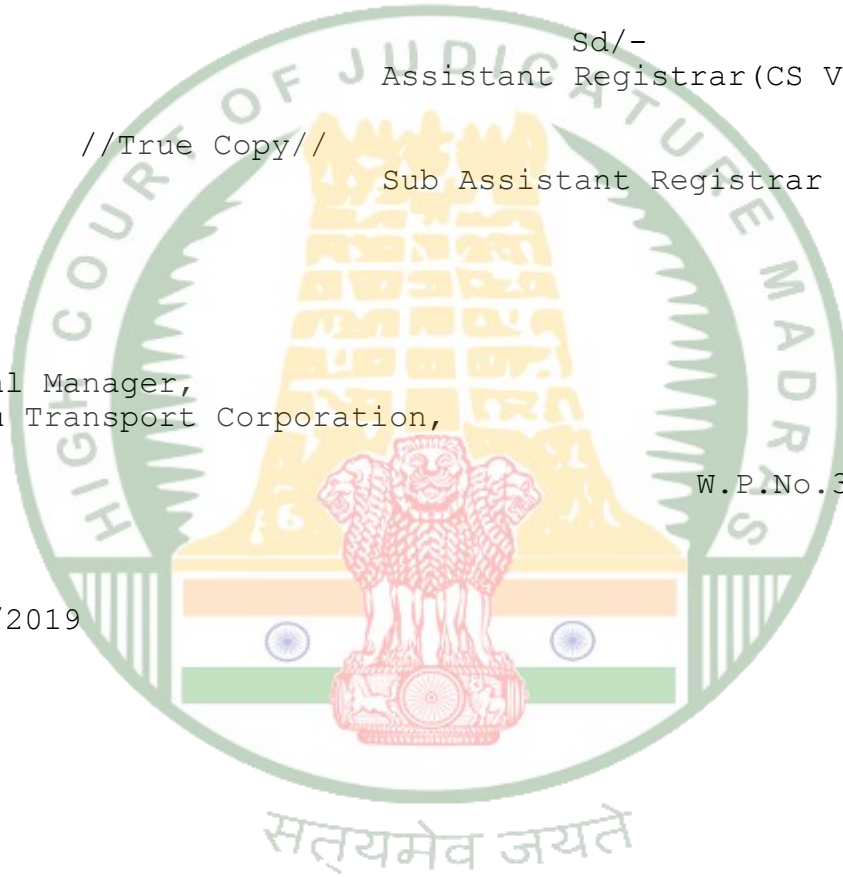
To

The General Manager,
Tamil Nadu Transport Corporation,
Salem.

W.P.No.3441 of 2018

CP(CO)

rrs 13/03/2019



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