

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2019

CORAM

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.9715 of 2014

&

MP No.2 of 2014

P.Jamuna

...Petitioner

-Vs-

1.The Chairman,
Tamil Nadu Housing Board,
493, Anna Salai,
Nandanam, Chennai - 600 035.

2.The Assistant Secretary (Administration),
Tamil Nadu Housing Board,
493, Anna Salai,
Nandanam, Chennai - 600 035.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records of the impugned order of the second respondent vide letter no.A3/8633/13 dated 08.04.2013 in rejecting the petitioner's request for employment on compassionate ground and quash the same.

For Petitioner : Mr. R.Subramanian
for Mr.S.Govindraman

For Respondents : Mr. R.Bharath Kumar [TNHB]

O R D E R

The Petitioner applied for appointment in Tamil Nadu Housing Board under compassionate ground on the basis that the Petitioner's father died in harness, who was working in Tamil Nadu Housing Board. The Petitioner's application was rejected on the ground that the Petitioner was married. Therefore, the respondent has rejected the Petitioner's application vide Letter No.A3/8633/2013 dated 08.04.2013. According to the learned counsel for the Petitioner, the Government passed G.O.Ms.No.78 Labour and Employment Department dated 21.04.2017, subsequent to the rejection of the Petitioner's application, wherein, it is stated that Married member of the family is also entitled for

employment on compassionate ground. The learned counsel for the Petitioner further submits that in the light of the aforesaid G.O.Ms.No.78 Labour and Employment Department dated 21.04.2017, the petitioner is entitled for appointment on compassionate ground.

2. Learned counsel for the respondents submits that the 2nd respondent rejected the petitioner's application for appointment on compassionate ground, based on the rules and G.O., at the relevant time. He further submits that in the light of the subsequent Government orders passed by the State Government, the case of the Petitioner will be considered and orders will be passed appropriately. Learned counsel for the Respondents thus prayed for a stipulated time to consider the case of the Petitioner in the light of the G.O.s that has been issued after rejection of the Petitioner's application.

3. In the light of the above submission of the learned counsel for the respondents, this Writ Petition is disposed of with a direction to the respondents to consider the petitioner's application dated 20.03.2013 in the light of G.O.Ms.No.78, Labour and Employment Department dated 21.04.2017 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after providing sufficient opportunity to the parties concerned. No costs. Consequently, connected MP is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

nvsri
To:

1.The Chairman,
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam, Chennai - 600 035.

2.The Assistant Secretary (Administration),
Tamil Nadu Housing Board,
493, Anna Salai, Nandanam, Chennai - 600 035.

+1 cc to Mr.S.Gonvindaraman, Advocate, Sr.No. 34539

+1 cc to Mr.R.Bharath Kumar, Advocate, Sr.No. 35091

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CSL/19.06.2019