

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.31007 of 2019

P.Kavitha

..Petitioner

Vs

1. The State of Tamilnadu
Rep.by its Secretary to Government,
Transport Department,
Fort St.George, Chennai 600 009.
2. The Managing Director,
State Express Transport Corporation
(Tamil Nadu) Ltd, Pallavan Salai,
Chennai 600 002.
3. The General Manager,
State Express Transport Corporation
(Tamil Nadu) Ltd, Pallavn Salai,
Chennai 600 002.
4. The Branch Manager,
State Express Transport Corporation
(Tamil Nadu) Ltd,
Salem Branch,
Hasthampatti, Salem.

.. Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other writ, order or direction in the form of the writ, directing the respondents herein to consider the petitioners representation dated 07.08.2019 by providing suitable employment to the petitioner in the respondent corporation within a time specified.

For Petitioner : Mr.S.Balaji

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

O R D E R

- 1.This writ petition has been filed by the petitioner, praying for issuance of a Writ of Mandamus, to consider the representation dated 07.08.2019 by providing suitable employment to her within a time specified by this Court.
- 2.According to the petitioner, her father who was working as a driver in Salem Branch of Respondent's Corporation, died on 28.02.2018 in harness while leaving behind his wife and his daughters including the petitioner herein, as his surviving legal heirs. After the demise of her father the petitioner made a representation on 07.08.2019 to the respondents seeking appointment in any suitable post based on her educational qualification on compassionate grounds as the family were bereft of financial support to sustain themselves. She also filed letters of consent issued by her sisters expressing no objection to provide employment to the petitioner.
- 3.The grievance of the petitioner is that the representation made by the petitioner on 07.08.2019 has not been considered and no orders have been passed by the respondents till date, which prompted the petitioner to approach this Court by way of present writ petition.
- 4.In "Smt. Sushma Gosain and others vs. Union of India and others (1989 (4) SCC 468)", it was observed that in all claims of appointments on compassionate grounds, there should not be any delay in providing appointment. The purpose of providing appointment on compassionate ground is to mitigate the hardship due to death of the bread-earner in the family. Such appointments should, therefore, be provided immediately to redeem the family in distress. Therefore, this Court expects that the respondents will consider the claim of the petitioner in accordance with law without any delay. It appears that the petitioner has made a representation on 07.08.2019 to the respondents seeking to provide her employment on compassionate grounds but it has been kept pending without any progress.
- 5.The learned Government Advocate appearing for the respondents conceded to the request as submitted by the learned counsel appearing for the petitioner. The learned Government Advocate would submit that if this Court directs the respondents to consider and dispose of the representation made by the petitioner, the same would be complied with and the representation would be disposed of in accordance with law.
- 6.Considering the facts and circumstance of the case and since the representation made by the petitioner has been pending, this Court directs the second respondent to dispose of the

Writ Petitioner's representation dated 07.08.2019, in accordance with law, within a period of Eight weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of.
No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

jrs

To

1. The Secretary to Government,
Transport Department,
Fort St.George, Chennai 600 009.
2. The Managing Director,
State Express Transport Corporation
(Tamil Nadu) Ltd, Pallavan Salai,
Chennai 600 002.
3. The General Manager,
State Express Transport Corporation
(Tamil Nadu) Ltd, Pallavn Salai,
Chennai 600 002.
4. The Branch Manager,
State Express Transport Corporation
(Tamil Nadu) Ltd, Salem Branch,
Hasthampatti, Salem.

+1cc to Mr.S.Balaji, Advocate, S.R.No.90919
+1cc to the Government Pleader, S.R.No.91519

W.P.No.31007 of 2019

SVI(CO)
CS/09/12/2019

WEB COPY