

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :20.03.2019
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.30220 of 2018

W.Ramya

..Petitioner

vs

1.The Managing Director,
Metropolitan Transport Corporation Ltd.,
Pallavan House
Chennai - 600 002.

2.The General Manager,
Metropolitan Transport Corporation Ltd.,
Pallavan House,
Chennai - 600 002.

3.The Branch Manager,
Metropolitan Transport Corporation Ltd.,
Adyar Branch,
Chennai - 600 020.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to consider and pass order on the petitioner's representation dated 28.09.2016 with regard to the compassionate appointment within a stipulated time as fixed by this Hon'ble Court.

For Petitioner : Mr.M.Ramadoss

For Respondents : M/s.Rajeni Ramadoss

सत्यमेव जयते
O R D E R

The relief sought for in the present writ petition is for a direction to direct the Respondents to consider and pass order on the petitioner's representation dated 28.09.2016 with regard to the compassionate appointment

2.The learned counsel for the writ petitioner states that the father of the writ petitioner Shri.S.Wilson was employed as Driver in the respondent Corporation and died on 28.02.2016, while he was in service. On account of the sudden demise of the father of the writ petitioner, the family was in penurious circumstances and the writ petitioner's family is unable to meet

out their day-to-day expenditures as the deceased employee was the sole breadwinner of the family.

3.The learned counsel for the writ petitioner states that the immediately after the death of the deceased employee, an application seeking appointment on compassionate grounds was submitted to the respondents on 28.09.2016 and on receipt of the same, the respondents issued a letter dated 03.10.2016, directing the writ petitioner to produce all required certificates. The writ petitioner also appeared and submitted all the certificates and the verifications were already done. However, no order of appointment has been issued for the past about two years and the writ petitioner has not received any reply.

4.This Court is of an opinion that the scheme of compassionate appointment is provided to mitigate the circumstances arising on account of the sudden demise of an employee. Thus, the appointment is to be provided within a reasonable period of time and without causing any undue delay.

5.This being the scope of the scheme, the 2nd respondent is directed to consider the application submitted by the writ petitioner seeking appointment on compassionate grounds and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The writ petitioner is also directed to enclose the copy of the application and other representation and all other relevant documents along with the orders passed in the present writ petition.

6.With these directions, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The Managing Director,
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Pallavan House
Chennai - 600 002.

2.The General Manager,
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Chennai - 600 002.

3.The Branch Manager,
Metropolitan Transport Corporation Ltd.,
Adyar Branch,
Chennai - 600 020.

+1cc to Mr.M.Ramadoss, Advocate sr.26931

+1cc to M/s.Rajeni Ramadoss, Advocate sr.26977

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nr 12/04/2019



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