



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **13.03.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP (MD) No.5948 of 2019

A.Lakshmanan

... Petitioner

Vs.

1.State of Tamil Nadu,
Represented by Secretary to Government,
Revenue Department,
Fort Saint George,
Chennai -600 009.

2.The District Collector,
Virudhunagar District,
Virudhunagar.

3.The Tahsildar,
Rajapalayam Tauk,
Rajapalayam,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondents to give compassionate appointment to the petitioner in post of Village Menial (Assistant) in view of the communication submitted by the 3rd respondent vide his proceedings in Na.Ka.No.Aa4/6100/99 dated 25.10.2016 within a stipulated time may be fixed by this Court.

For Petitioner : Mr.C.Jeya Indira Patel,

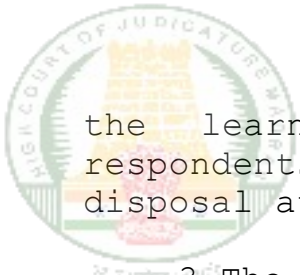
For Respondents : Mrs.J.Padmavathy Devi,
Special Government Pleader

ORDER

This writ petition has been filed seeking to direct the respondents to appoint the petitioner as Village Menial (Assistant), on compassionate ground, on the basis of the recommendation made on 25.10.2016 by the 3rd respondent.

<https://hcservices.ecourts.gov.in/hcservices/>

2.Heard the learned Counsel appearing for the petitioner and



the learned Special Government Pleader appearing for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3. The grievance of the petitioner is that his claim, seeking compassionate appointment on account of his father's death, during his service, was rejected and after some rounds of litigations, the 3rd respondent has recommended the case of the petitioner to the 2nd respondent on 25.10.2016 and thereafter nothing moved on. Hence, seeking necessary directions to the respondents, the petitioner is before this Court.

4. The learned Special Government Pleader, appearing for the respondents, on instructions, submitted that the claim of the petitioner would be dealt with on merits.

5. Under such circumstances, this Court, without going into the merits of the case, directs the 2nd respondent to consider the petitioner's claim, based on the recommendation made by the 3rd respondent, on 25.10.2016 in Na.Ka.No.Aa4/6100/99, on merits and in accordance with law and pass appropriate orders, after affording due opportunity of hearing to the petitioner within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Secretary to Government,
Revenue Department,
Fort Saint George,
Chennai -600 009.

2. The District Collector,
Virudhunagar District,
Virudhunagar.

3. The Tahsildar,
Rajapalayam,
Virudhunagar District.



1 CC to M/s.C.JEYA INDRA PATEL, Advocate (SR-53745[F] dated 13/03/2019)

+1 CC to M/s.SPL GP (SR-54306[F] dated 15/03/2019)

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ORDER MADE IN
WP (MD) No. 5948 of 2019
13.03.2019

KM/ (15.04.2019) 3P 6C