



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE. R.MAHADEVAN

W.P (MD) No.8424 of 2019

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M.Prabhakaran

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. by the Secretary to Government,
The Labour and Employment Department,
Secretariat, Chennai.
- 2.The Secretary to Government,
The School Education Department,
The Tamil Nadu Government,
Secretariat, Chennai - 600 009.
- 3.The Joint Director,
The School Education Department,
(Appointment Section),
DPI Compound, College Road,
Chennai.
- 4.The District Chief Educational Officer,
The District Chief Educational Office,
Thanjavur District.
- 5.The District Educational Officer,
The District Educational Office,
Pattukkottai,
Thanjavur District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents 3 and 4 to give the petitioner an employment on compassionate appointment in the Education Department in view of death of his deceased younger sister M.Pradeepa, aged 28 years in accordance with G.O.Ms.No.134, dated 22.10.1998 of Labour and Employment (Q-1) Department of the first respondent by considering the representation of the petitioner, dated 20.03.2019.

For Petitioner : Mr.R.Suresh Kumar
For Respondents : Mrs.S.Srimathy,
Special Government Pleader.

ORDER

This writ petition has been filed seeking a direction to the respondents to provide employment to the petitioner on compassionate ground, by considering his representation, dated 20.03.2019.



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.

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3. The case of the petitioner is that his sister, who was working as Teacher in the second respondent School, while in service, passed away. Seeking compassionate appointment, the petitioner submitted a representation dated 20.03.2019 to the respondents. As the same has not been considered so far, this writ petition has been filed.

4. The learned Special Government Pleader appearing for the respondents, on instructions, submitted that the respondents would consider the petitioner's representation dated 20.03.2019 and pass orders, on merits.

5. Considering the facts and circumstance of the case, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the representation of the petitioner dated 20.03.2019 in the light of G.O.Ms.No.134, dated 22.10.1998 of Labour and Employment (Q-1) Department and pass suitable orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Crl. Side)

/TRUE COPY/

Sub Assistant Registrar (CS)

To

1. The Secretary to Government,
The Labour and Employment Department,
Secretariat, Chennai.

2. The Secretary to Government,
The School Education Department,
The Tamil Nadu Government,
Secretariat, Chennai - 600 009.



3.The Joint Director,
The School Education Department,
(Appointment Section),
DPI Compound, College Road,
Chennai.

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4.The District Chief Educational Officer,
The District Chief Educational Office,
Thanjavur District.

5.The District Educational Officer,
The District Educational Office,
Pattukkottai,
Thanjavur District.

+1 CC to M/s.R.SURESH KUMAR, Advocate(SR-59482[F]
dated 08/04/2019)

+1 CC to M/s.SPL GP (SR-59898[F] dated 09/04/2019)

W.P(MD)No.8424 of 2019

SP/3P/8C