



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2019

CORAM:

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

W.P.(MD)No.1292 of 2016

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K.Gangalakshmi

... Petitioner

Vs.

The Commissioner of Police,
City Police Office,
Madurai City, Madurai - 625 001.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.A4/50068/2015, dated 30.12.2015 on the file of the respondent and quash the same as illegal and consequently, to direct the respondent to consider the petitioner for appointment on compassionate ground to any available post within the time stipulated by this Court.

For Petitioner

: Mr.S.Louis

For Respondent

: Mrs.J.Padmavathydevi

Special Government Pleader

ORDER

Praying to quash the impugned order passed by the respondent, dated 30.12.2015 and to direct the respondent to consider the petitioner for appointment on compassionate ground, the present writ petition has been filed.

2.Heard the learned Counsel appearing on both sides and perused the materials available on record.

3.The learned Counsel for the petitioner submitted that in the earlier round of litigation, this Court directed the respondent to consider the petitioner's application seeking compassionate appointment, pursuant to which, the respondent passed the impugned order, dated 30.12.2015, rejecting the claim of the petitioner on the ground of pendency of the criminal appeal against the petitioner. Aggrieved against the impugned order and also seeking a direction to the respondents considering her for compassionate appointment, the petitioner has come up with the present writ petition.

4.The learned Counsel for the petitioner further submitted that during the pendency of this writ petition, the very criminal appeal,



pending against the petitioner, has been disposed of on 28.08.2018, by this Court.

5.The learned Special Government Pleader has no objection for such submission.

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6.In such view of the matter, the impugned order dated 30.12.2015, passed by the respondent is quashed and the matter is remitted to the respondent for considering the same afresh and for passing appropriate orders, on merits and in accordance with law, and also in the light of judgment rendered by this Court in Crl.Apl (MD)No.28 of 2015, dated 28.08.2018, after affording opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

7.The writ petition is disposed of, on the above terms. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

cmr

To

The Commissioner of Police,
City Police Office,
Madurai City, Madurai - 625 001.

+1 CC to M/s.SPL GP (SR-55649[F] dated 21/03/2019)

ORDER MADE IN
W.P. (MD)No.1292 of 2016

20.03.2019

DS/ /SAR- (16.04.2019) 2P 3C