



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:26.03.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.17333 of 2016**

N.Alwin Gnanamani

... Petitioner

vs.

1.The Commissioner,
Commercial Tax Department,
Ezhilagam, Chepauk,
Chennai.

2.The Joint Commissioner (Administrative),
Commercial Tax Department,
A.R.Line Road, Palayamkottai,
Tirunelveli - 2.

3.The Assistant Commissioner,
Commercial Tax Department,
Check Post, Puliyarai,
Tirunelveli - 627 813.
(Cause title amended vide Court order
dated 20.09.2016 in W.M.P. (MD)
No.12722 of 2016)

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent to appoint the petitioner on the compassionate ground appointment in any of the post in his office as per the representation made in 20.01.2014 within a time frame fixed by this court may deem fit.

For Petitioner : Mr.J.Jeyakumaran

For Respondents : Mr.C.M.Mari Chellaiah Prabhu
Additional Government Pleader

ORDER

The Writ Petition has been filed seeking a direction to the respondents to appoint the petitioner on compassionate ground by considering the representation dated 20.01.2014 submitted by his mother, within a time frame as fixed by this Court.



2. Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

3. The case of the petitioner is that his father namely M.Nelson Gunaraj was working as an Assistant in the third respondent office and he died on 31.03.2004, while he was in service. Hence, the petitioner's mother made representations and finally on 20.01.2014 to the respondents seeking compassionate appointment to the petitioner, who is the son of the deceased. Since none of the representations have not been considered so far, the petitioner is before this Court by filing this Writ Petition.

4. The learned Additional Government Pleader appearing for the respondents submitted that the representation of the petitioner's mother would be considered by the respondents within a stipulated time as fixed by this Court.

5. Considering the nature of the relief sought for by the petitioner, without going into the merits of the petitioner's case, the respondents are directed to consider the representation of the petitioner's mother, dated 20.01.2014 seeking compassionate appointment to the petitioner, if there are no other legal impediments and pass appropriate orders on merits and in accordance with law after affording an opportunity of hearing to the petitioner and his mother, within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Commissioner,
Commercial Tax Department,
Ezhilagam, Chepauk,
Chennai.

2.The Joint Commissioner (Administrative),
Commercial Tax Department,
A.R.Line Road, Palayamkottai,
Tirunelveli - 2.



3.The Assistant Commissioner,
Commercial Tax Department,
Check Post, Puliyarai,
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+1 CC to M/s.J.JEYAKUMARAN, Advocate in SR-57031
+1 CC to M/s.Special Government Pleader in SR-57175

W.P (MD) No.17333 of 2016

26.03.2019

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PK/25.04.2019 : 3P/6C