



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:26.03.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD)No.18295 of 2016

WEB COPY

Mesmi.M.

... Petitioner

vs.

1.The General Manager,
National Insurance Co. Ltd.,
3,Middleton Street,
Kolkata - 700 071,
India.

2.The Chief Manager,
National Insurance Co. Ltd.,
3,Middleton Street,
Kolkata - 700 071,
India.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to give compassionate appointment to the petitioner as a family member of the deceased employee namely(late) T. Mathias who died on 13.11.2010 with all service regulations and benefits.

For Petitioner : Mr.F.Deepak

For Respondents : Mr.D.Sivaraman

ORDER

The Writ Petition has been filed seeking a direction to the respondents herein to give compassionate appointment to the petitioner as a family member of the deceased employee namely(late) T. Mathias, who died on 13.11.2010, with all service regulations and benefits.

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

3. The case of the petitioner is that her father worked as an Administrative Officer in the respondents Insurance Company and he died on 13.11.2010, while he was in service. Hence, the petitioner made a representation to the respondents on 25.06.2016 seeking compassionate appointment. Since the same has not been considered so far, the petitioner is before this Court by filing this Writ Petition.



4. During the course of arguments, the learned Counsel for the petitioner submitted that the petitioner would be satisfied, if her representation dated 25.06.2016 is directed to be considered by the respondents, for which, the learned Standing Counsel appearing for the respondents has no serious objections.

5. Considering the facts and circumstances of the case and having regard to the submissions now made by the learned Counsel on either side, without going into the merits of the case, the respondent is directed to consider the representation/application of the petitioner dated 25.06.2016 seeking compassionate appointment, 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, 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

/ True Copy /

Sub Assistant Registrar(CS)

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To

1.The General Manager,
National Insurance Co. Ltd.,
3,Middleton Street, Kolkata - 700 071,
India.

2.The Chief Manager,
National Insurance Co. Ltd.,
3,Middleton Street,
Kolkata - 700 071, India.

+1 CC to M/s.F.DEEPAAK, Advocate (SR-56669[F] dated 26/03/2019)
+1 CC to M/s.D.SIVARAMAN, Advocate (SR-56988[F] dated 27/03/2019)

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ES/22.04.2019/2P/5C