

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.26627 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of both the parties.

This writ petition is filed seeking the following relief :-

“.....to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus to declare the action of the respondents particularly 2nd respondent to 4th respondent in not yet considering the 1st petitioner's representation dated 25/09/2019 and not appointing the 2nd petitioner i.e., C Ramakrishna S/o.Late Narayana in any suitable post under the compassionate appointment scheme or any appropriate schemes, inspite of 1st petitioner medically invalidated and certificate issued by the Medical Board dated 16/04/2018 i.e., 6th respondent herein and same has been illegal, arbitrary, unjust and it is nothing but misuse of office powers and consequently direct the respondents herein forthwith appoint the 2nd petitioner in any suitable post under the compassionate appointment scheme or any appropriate schemes by considering the 1st petitioner Medical Invalidation Certificate dated 16/04/2018 issued by 6th respondent-Medical Board.....”.

Heard Mr.P.Vijay Kumar, the learned counsel for the petitioners and the learned Government Pleader for Services-II.

It has been contended by the learned counsel for the petitioners that the 1st petitioner, who is the mother of the 2nd petitioner, was employed as a Cook with the respondents and the Medical Board has examined the 1st petitioner and declared her as unfit to perform the duties vide proceedings dated 16.04.2018. Accordingly, the 1st petitioner submitted a representation to the respondents on 25.09.2019 requesting to consider the case of the 2nd petitioner for appointment on compassionate grounds by duly

taking into account the fact that the 1st petitioner was declared medically unfit. But, so far, the respondents have not passed any orders on the said representation nor considered the case of the 2nd petitioner for appointment on compassionate grounds. Therefore, appropriate orders be passed in the writ petition directing the respondents to consider the representation submitted by the 1st petitioner on 25.09.2019 and pass appropriate orders in accordance with law.

Learned Government Pleader appearing for the respondents has contended that since the 1st petitioner's representation is pending with the respondents, the respondents would consider the same and pass appropriate orders in accordance with law.

This Court, having considered the rival submissions made by the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the respondents to consider the representation submitted by the 1st petitioner on 25.09.2019 and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of.
No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 03-12-2019
Prv

