



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2020

WEB COPY

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.3988 of 2020

P.Karikalvalavan

... Petitioner

-Vs-

1. The State rep. By
The Secretary,
Personnel and Administrative Reforms Department,
Secretariat, St. George Fort,
Chennai 600 009.
2. The Principal Secretary,
Department of School Education,
Secretariat, St. George Fort,
Chennai 600 009.
3. The Deputy Secretary,
Department of School Education,
Secretariat, St. George Fort,
Chennai 600 006.
4. The Director,
Department of Elementary Education,
Chennai 600 006.
5. The Chief Educational Officer,
Tirupur, D.No.514, 5th Floor, Tirupur Collectorate,
Tirupur District - 641 604.
6. The District Educational Officer,
Tirupur, D.No.514, 5th Floor, Tirupur Collectorate,
Tirupur District - 641 604.
7. The District Educational Officer,
Pollachi, Near Nethaji Road,
Opposite to MHS Ground,
Pollachi - 641 001.



8. The Assistant Elementary Educational Officer,
Madathukulam, Tirupur - 641 113.

9. The Head Master,
kuppampalayam Panchayat Union Middle School,
Udumalpet Taluk, Tiruppur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 5 to 8 to take action on petitioner's petition dated 02.11.2000 seeking appointment on compassionate grounds and issue appointment order for any post suitable to his educational qualification.

For Petitioner : Mr.S.Pushpakaran

For Respondents : Mrs.V.Annalakshmi
Government Advocate

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents 5 to 8 to consider the request made by the petitioner, who is seeking for appointment on compassionate grounds.

2. The case of the petitioner is that his father was working as a teacher in the 9th respondent school and he died in harness on 08.04.1998. He left behind the petitioner and five others as a legal heirs. After the death of his father, the petitioner had applied for appointment on compassionate ground in the year 2000. The grievance of the petitioner is that initially the application was not considered, since there was a ban imposed on compassionate appointments and this ban ultimately came to be lifted only in the year 2006. Thereafter, the application made by the petitioner was processed and it is being sent from one respondent to another for the last so many years and the last communication the petitioner received was on 12.09.2019, wherein the petitioner was informed that his application has been forwarded to the 3rd respondent for appropriate action. Even thereafter, there was no development and therefore, the petitioner left with no other option has approached this Court seeking for appropriate directions.

3. The learned Government Advocate on instructions submitted that the 5th respondent requires certain original



documents to be furnished by the petitioner.

4. The learned counsel appearing for the petitioner submitted that the petitioner is willing to furnish all original documents and requested this court to fix a time limit for passing final orders, on his request for appointment on compassionate grounds.

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 5th respondent to immediately process the application of the petitioner seeking for appointment on compassionate grounds and he shall pass appropriate orders, in accordance with law, within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 5th respondent along with copy of this order. A copy of representation shall also be marked to respondents 3, 4, 6 to 8.

6. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The State rep. By
The Secretary,
Personnel and Administrative Reforms Department,
Secretariat, St. George Fort,
Chennai 600 009.

2. The Principal Secretary,
Department of School Education,
Secretariat, St. George Fort,
Chennai 600 009.



3. The Deputy Secretary,
Department of School Education,
Secretariat, St.George Fort,
Chennai 600 006.

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4. The Director,
Department of Elementary Education,
Chennai 600 006.

5. The Chief Educational Officer,
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9. The Head Master,
kuppampalayam Panchayat Union Middle School,
Udumalpet Taluk, Tiruppur District.

+1cc to Mr.S.Pushpakaram, Advocate SR.14185
+1cc to the Government Pleader SR.14656

W.P.No.3988 of 2020

PVS(CO)
CB(10/07/2020)