



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.12.2020

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.18721 of 2020

WEB COPY

R.Parameshwari

...Petitioner

Vs

1.The District Collector,
Collectorate, Ramanathapuram District.

2.Personal Assistant to District Collector,
(Noon Meal Scheme),
Ramanathapuram.

3.The Commissioner,
R.S.Mangalam Panchayat Union,
Thiruvadanai Taluk,
Ramanathapuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 02.03.2020 and thereby given compassionate appointment to the petitioner.

For Petitioner : Mr.B.Chakkaravarthy
for Mr.Ezhilarasu

For R1 and R2 : Mr.N.Shanmugaselvam
Additional Government Pleader

ORDER

This Writ Petition is filed to direct the respondents to provide a job to the petitioner on compassionate ground by considering the representation, dated 02.03.2020.

2.By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

3.The learned counsel appearing for the petitioner would submit that the petitioner's father, namely, Muthu Vairu died on 23.10.2020, while he was in service with the 3rd respondent. Thereafter, the petitioner's brother, namely, Mahalingamurthi, has made an application to the respondents seeking to provide a job on compassionate ground. However, the 3rd respondent, vide order dated 22.09.2020, had rejected the claim of the petitioner stating that the female legal heir alone is entitled for compassionate



appointment, as per G.O.Ms.No.198, Social Welfare and Nutritious Meal Programme Department, dated 25.10.2003. In such circumstances, the petitioner has made an application, dated 02.03.2020 to the 1st respondent seeking to provide a job on compassionate ground stating that she is the only female legal heir of the deceased Muthu Vairu and is entitled to get the job on compassionate ground, but the same has not been considered so far. Hence, the present writ petition.

4.Mr.N.Shanmugaselvam, learned Additional Government Pleader appearing for the respondents 1 and 2 would fairly submit that the petitioner's application, dated 02.03.2020 would be considered on merits and in accordance with law, within a time stipulated by this Court.

5.On a perusal of the papers, it appears that even though the petitioner's brother has made an application before the respondents seeking to provide a job on compassionate ground, the 3rd respondent, vide order dated 22.09.2020, had rejected the claim of the petitioner stating that the female legal heir alone is entitled for compassionate appointment, as per G.O.Ms.No.198, Social Welfare and Nutritious Meal Programme Department, dated 25.10.2003. Hence, the petitioner herein has made an application, dated 02.03.2020 to the 1st respondent explaining her grievance for compassionate appointment, but the same is pending till date, without any progress.

6.In such view of the matter, this Court is inclined to pass the following directions:-

the 1st respondent is directed to consider the petitioner's application, dated 02.03.2020 and pass appropriate orders by taking into consideration of the rejection order passed by the 3rd respondent, dated 22.09.2020 and to consider the provision of appointment on compassionate ground, within a period of eight weeks from the date of receipt of a copy of this order;

7.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

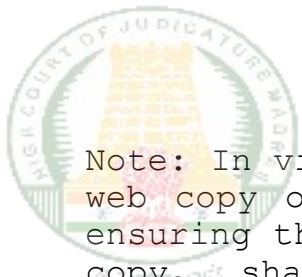
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Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To

- 1.The District Collector,
Collectorate, Ramanathapuram District.
- 2.Personal Assistant to District Collector,
(Noon Meal Scheme),
Ramanathapuram.

+1cc to M/s.Special Government Pleader, SR No.26734

W.P. (MD) No.18721 of 2020
18.12.2020

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