

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

W.P.No.6736 of 2021

M. Logeshwaran

... Petitioner

Vs

1. The Commissioner of Sugar
Office of the Commissioner of Sugar
Nandanam,
Chennai 600 035.
 2. The Managing Director
Tirupattur Cooperative Sugar Mills Limited
Kethandapatti,
Tirupaatur District.
- Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus directing the respondents to grant compassionate appointment to the petitioner in any post in the 2nd respondent cooperative sugar mills by considering the petitioner's representation dated 12.02.2021.

For Petitioner : Mr.R.Rajarajan

For Respondents : Mr.L.P.Shanmuga Sundaram
Special Govt.Pleader for R1
Mr.R.Balaramesh
Special Govt.Pleader for R2

ORDER

This writ petition has been filed to direct the respondents to grant compassionate appointment to the petitioner in any post in the 2nd respondent cooperative sugar mills by considering the petitioner's representation dated 12.02.2021.

2. Mr.L.P.Shanmuga Sundaram, learned counsel takes notice for first respondent and Mr.R.Balaramesh, learned Special Government Pleader takes notice for second respondent. By

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

3. The case of the petitioner is that his father Mr.P.Murugan was working as Mazdoor in the second respondent as a permanent employee and died on 11.01.2011 in a road accident. The petitioner had filed an application to the second respondent immediately for compassionate appointment in any post and the same was received by the second respondent and was kept pending for nearly six years without any progress. Thereafter the second respondent sent a letter in Na.Ka.No.1504 A/P.A/2017 dated 01.03.2017 calling upon the petitioner to present in the office of the second respondent for certificate verification. Thereafter again the second respondent sent a letter in Na.Ka.1504/P.A/2017 dated 10.07.2017 calling upon the petitioner to submit certificate and Tasildhar, Natrampalli had also conducted enquiry and satisfied that the family of the petitioner is in penury without any source of income and issued certificate to that effect in letter No.OM.A2/4548/2017 dated 24.07.2017. though the petitioner sent a reminder dated 12.02.2021 the same is pending. Hence the petitioner has approached this Court with the present writ petition.

4. When the matter is taken up for hearing, it is represented by the learned Special Government Pleader appearing for the second respondent that the petitioner is in S.No.71 in the seniority list maintained for providing compassionate appointment to those who are eligible. Till date the persons up to Sl.No.35 have been accommodated and as and when vacancy arises, the case of the petitioner will be considered depending upon the seniority list maintained for the said purpose.

5. The learned counsel for the petitioner submitted that the submission of the respondents may be recorded and the Writ petition may be closed.

6. Recording the submission of the learned Special Government Pleader appearing for the second respondent, the Writ Petition is closed.

7. At this juncture, it is represented by the learned counsel for the petitioner that the petitioner was employed in the second respondent Sugar Mill Ltd., on daily wage basis, depending upon the requirement and after filing this writ petition, even his daily employment has been stopped. It is

needless to mention here that whenever vacancy arises for daily wages, the case of the petitioner may be considered, as the respondents, in any event are going to employ the petitioner in future, as soon as the petitioner's turn comes up for appointment. No costs.

8. No costs.

Sd/-

Assistant Registrar (CS-VIII)

// True Copy //

Sub Assistant Registrar

dpq

To

1. The Commissioner of Sugar
Office of the Commissioner of Sugar
Nandanam,
Chennai 600 035.
2. The Managing Director
Tirupattur Cooperative Sugar Mills Limited
Kethandapatti,
Tirupaatur District.

+1 CC to Government Pleader SR.No.21937
+1 CC to Special Government Pleader SR.No.21012
+1 CC to Mr.R.Balaramesh, Advocate SR.No.21716
+1 CC to Mr.R.Rajarajan, Advocate SR.No.21069

W.P.No.6736 of 2021

SR-II (CO)
RLP (12.07.2021)

सत्यमेव जयते

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