

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2021

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THE HONOURABLE **MR.JUSTICE R.MAHADEVAN**

W.P.No.20666 of 2016

E.Lalitha

... Petitioner

Vs

1. The Commissioner,
Corporation of Villupuram,
Villupuram Taluk,
Villupuram District.
2. The Director,
Municipal Administration,
Office of the Director of Municipal Administration,
Villupuram, Villupuram District.
3. The Director of Health Service,
Office of the Director of Health Services,
Villupuram District.
4. Meena,
Govindarajaperumal Street,
Villupuram Corporation & Taluk,
Villupuram District - 605 602.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the petitioner's application dated 16.07.2009 for employment on compassionate ground and appoint her in any suitable post.

For Petitioner : Mr.D.Kumaralingam

For R1 : Mr.P.Srinivas

For R2 & R3 : Mr.R.S.Selvam

ORDER

The relief sought in this Writ Petition is to issue a mandamus, directing the first respondent to consider the petitioner's application dated 16.07.2009 for employment on compassionate ground and appoint her in any suitable post.

2.It is the case of the petitioner that her husband Elumalai died on 09.05.2009, while he was working as a sanitary worker in the Corporation of Villupuram. Immediately, she submitted an application on 16.07.2009 seeking appointment on compassionate ground to the first respondent along with the required documents. After enquiry, the Revenue Tahsildar,

Villupuram issued a certificate dated 15.10.2009 in favour of the petitioner for getting employment on compassionate ground. The Director of Regional Municipalities, Vellore-12, by his communication dated 04.01.2010 also directed the first respondent to consider the case of the petitioner seeking compassionate appointment. While so, the fourth respondent claiming herself to be the daughter of the petitioner's father-in-law, issued a notice dated 01.04.2010 to the respondents raising objection for providing employment on compassionate ground to the petitioner stating that the appointment of the petitioner's husband was bad in law. Pursuant to the same, the first respondent directed the petitioner to file a fresh application enclosing the relevant documents pertaining to the legal heirship of the petitioner's husband and his father. Accordingly, the petitioner again applied for compassionate appointment with the proof of legal heirship. However, no steps have been taken on the same. Hence, finding no other alternative, the petitioner has preferred this writ petition for the aforesaid relief.

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3.Today, when the matter was taken up for consideration, the learned counsel appearing for the first respondent fairly submitted that the

respondent authorities would consider the claim of the petitioner and pass orders, on merits and also in the light of the recent G.O issued by the Government, within a reasonable time to be fixed by this Court.

4.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondent authorities to consider the petitioner's application dated 16.07.2009 seeking compassionate appointment, if not already considered and pass appropriate orders on merits and in accordance with law and also in the light of the recent G.O.(Ms).No.18 Labour and Employment (Q1) Department, dated 23.01.2020, within a period of eight weeks from the date of receipt of a copy of this order.

5.Accordingly, the writ petition stands disposed of. No costs.

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Index : Yes/No
Internet: Yes/No
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To

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R.MAHADEVAN, J.

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