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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WP.No.15721/2021
[Video Conferencing]

R.Vijayakumar

..Petitioner

Vs

The District Collector
office of the District Collectorate
Thiruvannamalai District.

..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus directing the respondent to consider and dispose of the representation made by the petitioner on 07.04.2021 in the light of the judgment passed by this Court in Review Petition No.88/2012.

For Petitioner : Mr.N..Saravanan

For Respondent : Mr.C.Kathiravan
Government Advocate

ORDER

1. By consent, the writ petition is taken up for final disposal and is disposed of by this order.
2. Mr.C.Kathiravan, learned Government Advocate accepts notice on behalf of the respondent.
3. The petitioner has filed the present writ petition seeking for issuance of a writ of mandamus, directing the respondent to consider and dispose of the petitioner's representation dated 07.04.2021 in the light of the order passed in Rev.Appln.No.88/2012 dated 18.07.2012.
4. The case of the petitioner is that his father, while working as Village Assistant, died in harness on 20.03.2000. The petitioner submitted an application on 19.06.2000 seeking appointment on compassionate ground and the said application was rejected on 02.09.2010 on the ground that the petitioner's brother was working in Border



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Security Force, a Central Government Job. Challenging the said rejection order, the petitioner filed WP.No.7638/2011 and though the writ petition was dismissed by this Court on 21.04.2011, vide order dated 18.07.2012 made in Review Petition No.88/2011, the order passed in the writ petition was recalled and this Court passed an order in the following lines:-

'4.Hence, the order passed by this Court dated 21.04.2011 is recalled and the impugned order passed by the respondent dated 02.09.2010 is set aside and the matter is remitted to the respondent to consider the claim of the petitioner seeking compassionate appointment in the light of the certificate issued by the Tahsildar dated 03.11.2009 and in the light of G.O.Ms.No.155, Labour and Employment Department dated 16.07.1993 and pass fresh orders within a period of eight weeks from the date of receipt of a copy of this order. No costs.'

Despite the above direction of this Court, it is stated by the petitioner that the respondent has not considered the case of the petitioner. Hence, left with no other alternative, the petitioner is constrained to approach this Court by filing this writ petition.

5. This Court heard the rival submissions and perused the materials placed.
6. This Court, considering the limited scope of prayer sought for by the petitioner and without expressing any opinion on the merits of the petitioner's representation or the case projected by him in this writ petition, directs the respondents to consider and dispose of the petitioner's representation dated 07.04.2011 in the light of the order passed in the Review Petition NO.88/2011 dated 18.07.2012 and on merits and in accordance with law and pass orders within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner herein.
7. The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

AP



To

The District Collector
office of the District Collectorate
Thiruvannamalai District.

+1cc to Mr.N.Saravanan, Advocate, S.R.No.36442

WP.No.15721/2021

CA (CO)
RGA (02/09/2021)