



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.21448 of 2021

(Through Video Conferencing)

S.Sugumaran

... Petitioner

Vs

1. The District Collector,
Kallakurichi District,
Kallakurichi.
2. The Principal Secretary to Government,
Revenue District Establishment,
Fort St. George,
Chennai - 600 009.
3. The Director of Disaster Management,
Fort St. George,
Chennai - 600 009.

4.G.Mageshwari

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 18.08.2021 and to grant appointment under compassionate grounds of the petitioner brother Late S.Manimaran who was working as Junior Revenue Inspector in the office of the Collectorate Kallakurichi died on 05.05.2021 while in service.

For Petitioner : Mr.K.Shyam Sunder

For Respondents: Mr.L.S.M.Hasan Fizal,
Government Advocate for R1 to R3

ORDER

The writ petition has been filed for a Mandamus to direct the respondents to consider the petitioner's representation dated 18.08.2021 and to grant appointment under compassionate grounds on account of the death of the petitioner's brother Late



S.Manimaran who was working as a Junior Revenue Inspector in the office of the Collectorate Kallakurichi died on 05.05.2021 while in service.

2.The case of the petitioner is that the petitioner has sent a representation dated 18.08.2021 but the same has not evoked any response from the respondents.

3.The learned counsel for the respondent submits that the 4th respondent and the petitioner's mother are the legal heirs who has also since deceased on 09.05.2021. He further submits that the petitioner cannot be appointed as a direct legal heir namely the 4th respondent W/o late S.Manimaran is alive and is entitled to be considered for being appointed on compassionate grounds.

4.Considering the limited scope of dispute in this writ petition, this writ petition is disposed at the time of admission by directing the respondent to consider the application of the petitioner in the light of G.O.Ms.No.18 of Labour and Employment (Q1) Department dated 23.01.2020. It is made clear that before taking a considered decision as to whether the petitioner has to be appointed or not on compassionate grounds in terms of the aforesaid Government Order, the official respondent No.1 shall issue notice to the 4th respondent the wife of the late S.Manimaran deceased employee/JRI. It is also made clear that if the 4th respondent seeks employment priority may be given to the 4th respondent. This exercise shall be carried out by the respondent within a period of 12 weeks from the date of receipt of a copy of this order.

5.This Writ Petition stands disposed of with the above observations. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

rgm/jas

To

1. The District Collector,
Kallakurichi District,
Kallakurichi



2. The Principal Secretary to Government,
Revenue District Establishment,
Fort St. George,
Chennai - 600 009

3. The Director of Disaster Management,
Fort St. George,
Chennai - 600 009

+lcc to Mr.K.Shyam Sundar, Advocate, S.R.No.51830
+lcc to the Government Pleader, S.R.No.52737

W.P.No.21448 of 2021

GPL(CO)
SB(26/11/2021)