

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.33699 of 2014

R.Devadoss

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by Secretary to Government,
Health and Family Welfare Department,
Secretariat,
Chennai – 600 009.

2.The Director of State Health Transport,
Guindy,
Chennai 600 032.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to consider the representation dated 10.06.2014 submitted by the petitioner with regard to wrong voluntary retirement instead of medical invalidation and to consider his son for compassionate appointment and to pass orders on merits and in accordance with law within a time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.R.S.Selvam
Government Advocate

ORDER

Heard both sides and perused the materials available on record.

2.The petitioner has filed this writ petition seeking direction to the first respondent to dispose of his representation dated 10.06.2014.

3.The case of the petitioner is that he was appointed as Helper (Mechanical) on 10.12.1985. While he was serving as Special Grade Fitter, on 22.12.2008, he met with an accident and became disabled with 70% physical disability. Thereafter, he made representation to the second respondent to refer him to the Medical Board for medical invalidation and retirement from service and to appoint his son on compassionate grounds. He was permitted to retire from service voluntarily but not on medical invalidation on 31.07.2012. Hence, the petitioner made a detailed representation dated 10.06.2014 to the respondents requesting to consider his son for compassionate appointment, however, it has not evoked any response. Hence, this writ petition.

4.The learned counsel appearing for the petitioner prayed this

Court to give direction to the respondents to dispose of the petitioner's representation dated 10.06.2014.

5.The learned Government Advocate appearing for the respondents submitted that since the petitioner himself voluntarily retired from service, his son cannot be considered for appointment under compassionate grounds. However, he submitted that the respondents would consider the petitioner's representation and pass orders, in the light of the recent Government Order.

6.In view of the above, this Court directs the respondents to consider the petitioner's representation dated 10.06.2014 and pass appropriate orders, on merits and in accordance with law and also in the light of 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. Accordingly, the writ petition stands disposed of. No costs.

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30.03.2021

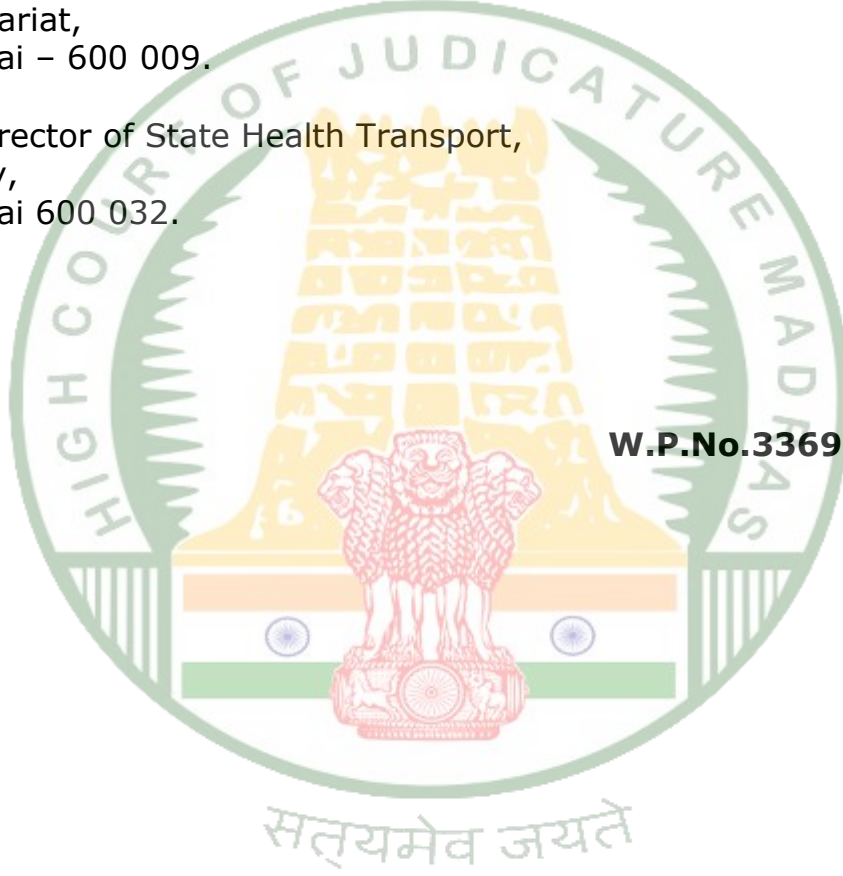
pri
Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

R.MAHADEVAN, J.

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To

- 1.The Secretary to Government,
Health and Family Welfare Department,
Secretariat,
Chennai – 600 009.
- 2.The Director of State Health Transport,
Guindy,
Chennai 600 032.



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