



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.1262 of 2021

S.Tamilarasi

...Petitioner

Vs.

1.The Chief Educational Officer (CEO),
Ramanathapuram,
Ramanathapuram District-623 528.

2.The Head Master,
S.S.A.M.Government Higher Secondary School,
Tiruppullani-623 532,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to process the petitioner's application for Compassionate Appointment dated 04.09.2020 based on the combined certificate issued by the Tahsildar, Kadaladi Taluk, Ramanathapuram District, dated 01.09.2020 and issue order of Compassionate Appointment on the death of her elder brother S.Sundara Moorthy on 11.03.2018 within the time stipulated by this Court.

For Petitioner : Mr.I.Murugesan

For Respondents: Mr.N.Shanmugaselvam
Additional Government Pleader

O R D E R

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

2.The petitioner herein is the unmarried sister of the deceased namely Late S.Sundara Moorthy, who claims appointment under the respondents on compassionate ground. In this regard, she has made an application to the first respondent herein and through the impugned order dated 03.11.2020, this application came to be returned stating that all the columns in the application requires to be filled up.

3.The learned counsel for the petitioner produced the returned application before this Court. On perusal of the annexure detailing the particulars of the applicant as well as the deceased Government servant, it is seen that all the columns have been duly filled in. As such, I do not find any basis for return of the



application. It is also brought to the notice of this Court that the procedure for appointment of compassionate ground is now Governed under G.O.(Ms) No.18, Labour and Employment (Q1) Department, dated 23.01.2020, which place down comprehensive guidelines for consideration of compassionate appointment.

WEB COPY

4. In the light of the above observations, the petitioner is granted liberty to re-present the application seeking for compassionate appointment, which was returned through the impugned order dated 03.11.2020, as expeditiously as possible and on receipt of the same, the first respondent herein shall consider the application, on its own merits and in accordance with law, in the light of the guidelines prescribed in G.O.(Ms) No.18, Labour and Employment (Q1) Department, dated 23.01.2020. Such an exercise shall be made at least within a period of twelve weeks from the date of receipt of a copy of the re-presentation of the application.

5. This Writ Petition stands disposed of accordingly.
No costs.

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Chief Educational Officer (CEO),
Ramanathapuram,
Ramanathapuram District-623 528.

+1 CC to M/s.I.MURUGESAN, Advocate (SR-2126[F] dated 27/01/2021)
+1 CC to SGP (SR-2399[F] dated 29/01/2021)

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ES (CO)

NR (10/02/2021) 2P : 4C

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