



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2021

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P (MD) No.5307 of 2020

& WMP (MD) No.15692 of 2020

WEB COPY

M.S.Manimaran

... Petitioner

Vs.

1.The Director General of Police,
Office of Director General of Police,,
Chennai - 600 004.

2.The Superintendent of Police,
Thanjavur District,
Thanjavur.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to appoint the petitioner in any of the suitable post in the respondent Police Department on compassionate appointment based on the petitioner's representation dated 15.6.2019.

For Petitioner : M/S.K.R.Shivashankari
For Respondents : Mr.A.K. Manickam
Counsel for state

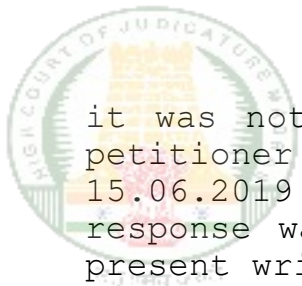
ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, to direct the respondents to appoint the petitioner in any of the suitable post in the respondent Police Department on compassionate appointment based on the petitioner's representation dated 15.6.2019.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

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

4.According to the petitioner, his father Late M.K.Swaminathan, while working as Superintendent of Police at Thanjavur District, died on 16.11.2005 in harness. At that time, the petitioner was aged about 12 years. The mother of the petitioner made an application for compassionate appointment within a year, but it was not considered. Thereafter, again she made an another application in the year 2013, which was rejected on the ground that



it was not made within a period of three years. Thereafter, the petitioner has made a representation to the respondents on 15.06.2019 for providing compassionate appointment to him. Since no response was forthcoming, the petitioner has come forward with the present writ petition.

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5.The learned counsel for the respondents would submit that the representation was made belatedly beyond the period of three years and the representation is still pending for consideration.

6.Though this Court is not inclined to entertain the present Writ Petition in view of categorical pronouncements of both this Court as well as the Hon'ble Supreme Court as regards the issue involved in the writ petition, however, considering the fact that still the representation is pending with the respondents, this Court feels it appropriate to direct the respondents to consider the petitioner's representation and pass appropriate orders therein in accordance with law and on merits.

7.Accordingly, the respondents are directed to consider the petitioner's representation dated 15.06.2019 and pass appropriate orders therein in accordance with law and on merits, within a period of 8 weeks from the date of receipt of a copy of this order.

8.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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:

1.The Director General of Police,
Office of Director General of Police,,
Chennai - 600 004.

2.The Superintendent of Police,
Thanjavur District,
Thanjavur.

<https://hcservices.ecourts.gov.in/hcservices/>



+1 CC to M/s.K.R.SHIVA SHANKARI, Advocate (SR-27248[F] dated 25/08/2021)

+1 CC to M/s.K.R.SHIVA SHANKARI, Advocate (SR-27500[F] dated 26/08/2021)

+1 CC to M/s.The Special Government Pleader (SR-27379[F] dated 26/08/2021)

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RS (08.09.2021) 3P 6C