



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.7703 of 2021

R. Santhi

... Petitioner

Vs.

1. The Commissioner,
Office of the Indian Medical and Homiopathy Commissioner,
Chennai - 600 106.

2. The District Siddha Medical Officer,
Virudhunagar District,
Virudhunagar.

3. The Block Medical Officer,
Government Primary Health Centre,
R. Reddiapatti - 626 136,
Virudhunagar District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the respondents herein to provide suitable employment to the petitioner on compassionate ground based on the application of the petitioner dated 25.09.2019 in accordance with law within a stipulated period.

For Petitioner	: Mr. M. Thirunavakkarasu
For Respondents	: Mr. S. Shanmugavel
	Standing Counsel for State

ORDER

The Writ Petition is filed for the issuance of a Writ of Mandamus, directing the respondents herein to provide suitable employment to the petitioner on compassionate ground based on the application of the petitioner dated 25.09.2019 in accordance with law within a stipulated time.

2. According to the petitioner, her husband was working as Assistant Medical Officer(Siddha) in the Government Primary Health Centre, R. Reddiapatti. The petitioner's husband died in a road accident on 10.07.2014, while he was in service. Thereafter, the wife of the deceased employee submitted an application on 05.12.2014 to the first respondent through second respondent along with all necessary documents seeking appointment on compassionate grounds. On receipt of the said application, the second respondent has directed the petitioner by his letter dated 20.07.2015 to submit the application seeking for compassionate appointment along with original certificates. Thereafter, the petitioner submitted an application along with original documents in a consolidated form on



17.05.2016 to the first respondent through the second respondent. Upon considering the application, the first respondent returned the aforesaid application along with documents vide his letter dated 06.06.2016 stating that the petitioner had sought for Assistant Siddha Medical Officer Post under compassionate appointment which comes under group 'B' category which cannot be provided under compassionate grounds. Appointments under compassionate grounds provided can be only on group 'C' and 'D' posts. Therefore the petitioner has agreed to join as Junior Assistant and submitted an application on 25.09.2019 seeking appointment on compassionate grounds for Group C or Group D Posts. The said application is still pending and no orders have been passed. Hence, she has filed the present Writ Petition before this Court.

3. According the learned Government Pleader appearing for the respondents the said application is registered in the record based on the seniority.

4. In view of the above statement, the respondent is directed to communicate the status of the said application to the petitioner by verifying the records, within a period of 12 weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mnr

To

1. The Commissioner,
Office of the Indian Medical and Homiopathy Commissioner,
Chennai - 600 106.
2. The District Siddha Medical Officer,
Virudhunagar District,
Virudhunagar.
3. The Block Medical Officer,
Government Primary Health Centre,
R. Reddiapatti - 626 136,
Virudhunagar District.

+1 CC to M/s.SPL. GP (SR-29122[F] dated 15/09/2021)

W.P. (MD) No.7703 of 2021

14.09.2021

MGJ(01.10.2021) 2P 5C

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