



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.11405 of 2021

S.Mariyammal

... Petitioner

-vs-

1.The District Collector,
Collectorate,
Sivagangai District.

2.The District Adi Dravidar Welfare Officer,
O/o. District Adi Dravidar Welfare Office,
Collectorate, Sivagangai District.

3.The Special Tahsildar,
Adi Dravidar Welfare Department,
Devakottai, Sivagangai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus, directing the respondents to provide any suitable post on the basis of compassionate appointment to the petitioner's son namely A.Arul Wilson by considering the representation dated 04.01.2021 made by the petitioner within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.A.Manickam,
Standing Counsel for Government

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the respondents to provide any suitable post on the basis of compassionate appointment to the petitioner's son, namely A.Arul Wilson by considering the representation dated 04.01.2021 made by the petitioner.

2.The case of the petitioner is that her husband was working as Watchman at Government Adi Dravidar Welfare Women's College Hostel, Kariakudi and he died on 19.10.2015, while he was in service. On 02.03.2016, the petitioner made an application seeking compassionate appointment for her elder son viz., A.Arul Wilson. Thereafter, on 11.03.2018 the petitioner has also submitted an application to the respondents. On receipt of the same, the third respondent directed the petitioner to appear for enquiry and produce all the relevant documents. Pursuant to the direction, the petitioner appeared for enquiry and furnished all the relevant document to the third



respondent. Thereafter, no order has been passed. On 04.01.2021, the petitioner made a representation seeking compassionate appointment for her son. Since no order has been passed on the said representation, the petitioner has come before this Court with the present Writ Petition.

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3.The learned counsel appearing for the petitioner submitted that the petitioner has submitted an application on 02.03.2016 along with requisite certificates, within the three years period. The learned counsel further submitted that since the petitioner's family is in indigent circumstances after the death of the sole breadwinner, the petitioner's request for seeking compassionate appointment for her son may be considered.

4.The learned Standing Counsel for the Government appearing for the respondents would submit that the petitioner's application will be considered and appropriate orders will be passed.

5.Considering the limited scope of the prayer, this Court without expressing any opinion on the merits of the matter, directs the first respondent to consider the representation of the petitioner dated 04.01.2021, on its own merits and in accordance with law, as expeditiously as possible preferably within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

// 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 District Collector,
Collectorate,
Sivagangai District.



2.The District Adi Dravidar Welfare Officer,
O/o.District Adi Dravidar Welfare Office,
Collectorate, Sivagangai District.

3.The Special Tahsildar,
Adi Dravidar Welfare Department,
Devakottai, Sivagangai District.

+1 CC to M/s.The Special Government Pleader (SR-27378[F] dated
26/08/2021)

W.P. (MD) No.11405 of 2021

25.08.2021

RS (03.09.2021) 3P 5C