



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.12551 of 2021

Periyannan

... Petitioner

Vs.

1. The Divisional Engineer,
National Highways,
Office of the Divisional Engineer,
Tiruchirappalli - 20,
Trichy District.

2.The Superintending Engineer,
National Highways,
O/o.the Superintending Engineer,
Madurai - 625 020,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to appoint the petitioner as "Salai Paniyalar" (Road Worker) on compassionate ground in the National Highways Department.

For Petitioner : Mr.V.Angusamy

For Respondent : Mr.A.K. Manickam
Government Counsel

O R D E R

This Writ petition has been filed seeking for issuance of a Writ of Mandamus directing the first respondent to appoint the petitioner as "Salai Paniyalar" (Road Worker) on compassionate ground in the National Highways Department.

2. Heard the learned counsel appearing for the petitioner and the learned Government 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 had been working as a Gang Mazdoor under the second respondent and he suffered with schizophrenia during his service. Therefore, he had been allowed to retire on 12.10.2006 on the ground of permanent medical incapacity. Since his father is only the breadwinner of the family, the petitioner made an application in person on 26.11.2007 to the first respondent to appoint him as Salai Paniyalar(Road Worker) on



compassionate ground. The said application has been forwarded to the second respondent by the first respondent vide Letter Ka.No.2250/07/A2 dated 31.05.2010 recommending to appoint the petitioner as 'Salai Paniyalar' on compassionate ground. The said application is pending with the second respondent till date. However, no action is forthcoming by the second respondent. Therefore, the petitioner has come forward before this Court with the present Writ petition.

5.The learned Government Counsel appearing for the respondents would submit that petitioner's application will be considered and appropriate orders will be passed by taking note of the Government Order.

6.Considering the submissions made by the learned counsel on either side, this Court directs the petitioner to make a fresh application/representation to the first respondent and based on the letter dated 31.05.2010 to the second respondent, the first respondent is directed to consider the same and pass an appropriate orders within a period of four months from the date of receipt of a copy of this order

7. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1. The Divisional Engineer,
National Highways,
Office of the Divisional Engineer,
Tiruchirappalli - 20,
Trichy District.

2.The Superintending Engineer,
National Highways,
O/o.the Superintending Engineer,
Madurai - 625 020,
Madurai District.

+1 CC to M/s.GP (SR-26734[F] dated 19/08/2021)

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17.08.2021

MGJ(26.08.2021) 2P 4C

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