



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P. (MD) No. 17273 of 2021

M.Kalimuthu

... Petitioner

Vs.

1.The District Collector,
Tirunelveli,
Tirunelveli District.

2.The Assistant Director of Town Panchayats,
Tirunelveli,
Tirunelveli District.

3.Manimuthar Special Grade Town Panchayat,
Rep. by its Executive Officer,
Manimuthar,
Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of a **Writ of Mandamus**, directing the respondents to appoint the petitioner on the compassionate ground for the death of the petitioner's father namely Mr.Muthu and pass orders.

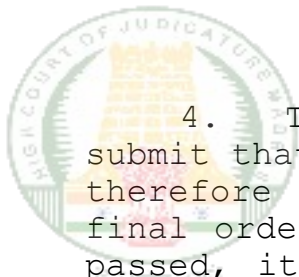
For Petitioner	:	Mr.R.J.Karthick
For Respondents	:	Mr.A.K.Manikkam, Standing Counsel for State.

O R D E R

This petition is filed for the issuance of a Writ of Mandamus, directing the respondents to appoint the petitioner on the compassionate ground in view of the death of the petitioner's father namely Mr.Muthu.

2. According to the petitioner, he has submitted an application seeking appointment on compassionate grounds to the respondent due to the sudden death of his father. The said application has been submitted before the respondents within time. However, so far, no orders have been passed. Hence, the petitioner has filed the present Writ Petition before this Court.

3. The learned Standing Counsel appearing for the respondents, would submit that the deceased employee namely, one Mr.Muthu, died on 07.05.1994. The deceased employee's wife namely, one M.Pottu, has been working in the 3rd respondent Town Panchayat as Sanitary Worker and further the submission of the application by the petitioner and the pendency of the same are not disputed.



4. The learned Counsel appearing for the petitioner, would submit that the respondents have not chosen to pass final orders and therefore sought for a direction to the third respondent to pass final orders on the application and if at all any adverse order is passed, it is for the petitioner to obtain a remedy in the manner known to law.

5. In view of the above, without going into the merits of the case, this Court is inclined to direct the third respondent to consider the application dated 26.08.2018 (if it is submitted within time) on merits and in accordance with law and pass orders as expeditiously as possible within a period of twelve (12) weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mnr/btr

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,
Tirunelveli,
Tirunelveli District.
- 2.The Assistant Director of Town Panchayats,
Tirunelveli,
Tirunelveli District.
- 3.The Executive Officer,
Manimuthar Special Grade Town Panchayat,
Manimuthar,
Tirunelveli District.

+1 CC to M/s.SPL. GP (SR-30140[F] dated 24/09/2021)

W.P. (MD) .No.17273 of 2021

23.09.2021

MGJ(07.10.2021) 2P 5C