



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.10.2021

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P (MD) No.18352 of 2021

B.Jeyalakshmi

... Petitioner

Vs.

1.The Director General of Police,
Dr.Radhakrishnan Road,
Mylapore,
Chennai-600 004.

2.The Commander,
Tamil Nadu Special Police III-Battalion,
Veerapuram,
Chennai-600 055.

... Respondents

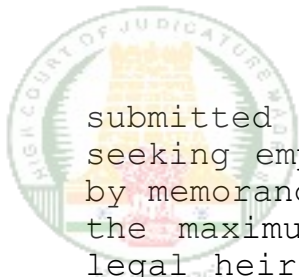
Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st Respondent to consider the representation of the Petitioner dated 25.06.2021 in the light of the G.O.Ms.No.18, Labourer and Employment (Q1) Department dated 23.01.2020 for appointment on compassionate ground to any entry level post in commensurate to the Petitioner's educational qualification, within a period that may be stipulated by this Court and pass orders.

For Petitioner : Mr.K.Ponnaiah
For Respondents : Mr.S.Shanmugavel,
Standing Counsel for State.

ORDER

This Writ Petition is filed for the issuance of a Writ of Mandamus, directing the first Respondent to consider the representation of the Petitioner dated 25.06.2021 in the light of the G.O.Ms.No.18, Labourer and Employment (Q1) Department dated 23.01.2020 for appointment on compassionate ground to any entry level post, commensurate with the Petitioner's educational qualification, within a period that may be stipulated by this Court.

2. According to the petitioner, the petitioner's son was working in the Tamil Nadu Special Police III- Battalion in Veerapuram, Aavadi and he died while he was in service on 07.09.2009 leaving behind the petitioner and her husband, both of them being parents of the deceased employee. Thereafter, the petitioner's husband has submitted a representation on 20.07.2009 seeking appointment for the petitioner on compassionate grounds to the second respondent. When there was no response from the second respondent for the aforesaid representation, the petitioner has



submitted a representation on 20.11.2011 to the second-respondent, seeking employment on compassionate grounds. The second respondent by memorandum in Na.Ka.No.A2/14455/2012 dated 03.10.2012 stated that the maximum age limit for seeking employment on the part of the legal heirs of the deceased Government servant was 35 in terms of G.O.Ms.No.9, Labourer and Employment (Q1) Department dated 19.01.1998. The petitioner was aged about 40 years at the time of submitting the representation. It is represented on behalf of the petitioner that now the Government has issued G.O.Ms.No.18, Labourer and Employment (Q1) Department dated 23.01.2020, wherein the Government have issued comprehensive guidelines for appointment on compassionate ground and the maximum age limit for the parents of the deceased Government servant seeking employment on compassionate grounds is fixed as 50 years at the time of submitting the application. The petitioner was aged 40 years at the time of submitting the application. However, as there was no response from the respondents, thereafter in furtherance of G.O.Ms.No.18, the petitioner has submitted a representation dated 25.06.2021 and produced all the required documents in response to the direction of the second respondent. Even now, there was no response from the second respondent. Therefore, it is prayed on behalf of the petitioner that appropriate directions may be issued to the second respondent to consider the petitioner's representation and pass appropriate orders.

3. The learned Government Pleader appearing for the respondents would submit that if the petitioner has produced the relevant documents, the same will be duly considered and appropriate orders will be passed in accordance with law and the Government Order in force.

4. In view of the limited scope of the prayer in the Writ Petition, without expressing any opinion on merits, this court is inclined to direct the first respondent to consider the petitioner's representation dated 25.06.2021 on its own merits and in accordance with law as expeditiously as possible within a period of 12 weeks from the date of receipt of a copy of this order.

5. With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

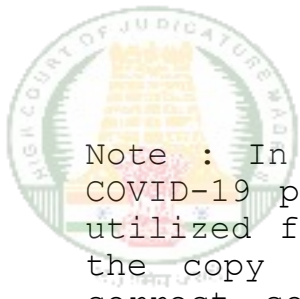
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Sub Assistant Registrar(CS)

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



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,
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Mylapore,
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2.The Commander,
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Chennai-600 055.

+1 CC to M/s.K.PONNAIAH, Advocate (SR-31557[F] dated 07/10/2021)

+1 CC to M/s.SPL.GP (SR-31754[F] dated 08/10/2021)

W.P (MD) No.18352 of 2021

07.10.2021

MGJ/JGB(02.11.2021) 3P 5C