



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.(MD) No.17046 of 2018 and

WMP(MD).No.15023 of 2018

WEB COPY

K. Geetha

... Petitioner

Vs.

The Registrar,
Alagappa University,
Alagappapuram,
Karaikudi,
Sivagangai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the respondent in his proceedings 26/11/1971/2017 dated 31.03.2017 and quash the same as illegal and consequentially, to direct the respondent to appoint the petitioner on compassionate ground to any of the post commensurate with the petitioner's educational qualification within the period that may be stipulated by this Court.

For Petitioner : Mr. Mohammed Suhail
for M/s.Ajmal Associates

For Respondent : Mr. Ragatheesh Kumar
for M/s.Isaac Chambers

O R D E R

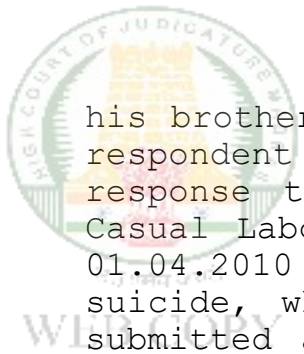
This Writ Petition has been filed seeking for issuance of a Certiorarified Mandamus, calling for the records relating to the impugned order passed by the respondent in his proceedings 26/11/1971/2017 dated 31.03.2017 and quash the same as illegal and consequentially directing the respondent to appoint the petitioner on compassionate ground to any one of the post which commensurate with the petitioner's educational qualification within the time frame.

2. Heard the learned counsel appearing for the petitioner and the learned Counsel appearing for the respondent.

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 was died while he was in service on 26.12.2008. After the death of petitioner's father,

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his brother sent an application on 02.04.2009 and 17.11.2009 to the respondent seeking for appointment under compassionate grounds. In response to the application, the respondent appointed him as a Casual Labour at Alagappa University on temporary basis i.e., from 01.04.2010 to 07.01.2013. The petitioner's brother committed suicide, while he was in service. Thereafter, petitioner's mother submitted an application on 14.02.2013 to offer employment to the petitioner on compassionate grounds. Since, no response was forthcoming, the petitioner made repeated representations in the year 2014, 2015 and 2016. The said applications were rejected by the respondent by his impugned proceedings dated 31.03.2017 stating that the said applications were not submitted within the limitation period. Therefore, the petitioner has come forward before this Court by way of the present Writ Petition.

5.The learned counsel appearing for the respondent would fairly submit that the respondent University will agreed to provide employment to the petitioner subject to the condition that the petitioner shall submit an application on her individual name. If such application is received, the respondent University will make necessary arrangement for accommodating the petitioner in the respondent University.

6.The learned counsel appearing for the petitioner has also concede with the above submissions of the learned counsel appearing for the respondent and to make individual application to the respondent for considering a compassionate appointment.

7.Recording the above submissions of the learned counsel on either side, this Court directs the petitioner to submit an individual application in the name of the petitioner for compassionate appointment to the respondent within a period of one week from the date of receipt of a copy of this order. On receipt of such application, the respondent is directed to take an appropriate decision in accordance with Rules at the earliest and decision taken shall be communicated to the petitioner.

8.With the above directions, the Writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

The Registrar,
Alagappa University,
Alagappapuram,
Karaikudi,
Sivagangai District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-26728[F]dated 19/08/2021)

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-26812[F] dated 19/08/2021)

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