



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Writ Petition (MD)No.19188 of 2017

WEB COPY

S.Vidhya

... Petitioner

Vs.

- 1.The Government of Tamil Nadu
through its Secretary Higher Education,
Fort St. George,
Chennai -9.
- 2.The Director of Higher Secondary Education,
Nungambakkam,
Chennai -6.
- 3.The District Collector,
Madurai District.
- 4.The Chief Educational Officer,
Madurai.
- 5.The District Educational Officer,
Usilampatti,
Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records of the fifth respondent in Na.Ka.No.3992/A1/2012 dated 13.06.2017 and quash the same and direct the respondents to provide the petitioner with an appropriate job on compassionate ground in the Education Department in consummation with the petitioner's qualification within a time frame to be fixed by this Court.

For Petitioner : Mr.T.S.R.Venkataramana

For Respondents : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

O R D E R

This writ petition has been filed challenging the impugned order passed by the fifth respondent in Na.Ka.No.3992/A1/2012, dated 13.06.2017 and quash the same and consequently, direct the respondents to provide an appropriate job to the the petitioner on compassionate ground in the Education Department.



2. The learned counsel appearing for the petitioner would submit that though the writ petition has been filed challenging the rejection of the compassionate appointment, the fourth respondent, by his proceedings in Na.Ka.No.9373/A1/2013, dated 21.06.2013, permitted the petitioner to renew the application for C Group post. Hence, this Court may permit the petitioner to make a fresh application for C Group post and this Court may exclude the limitation period.

3. The learned Additional Government Pleader appearing for the respondents have no serious objection to make a fresh application for C Group post.

4. Considering the limited request made by the learned counsel for the petitioner, this Court is inclined to grant permission to the petitioner to make a fresh application, as per the proceedings of the fourth respondent, dated 21.06.2013, within a period of two weeks from the date of receipt of a copy of this order and thereafter, the authority may pass appropriate orders, in accordance with law. The period pending before this Court may be excluded for the purpose of limitation.

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

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

akv

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 Secretary, Government of Tamil Nadu,
Higher Education, Fort St. George, Chennai -9.

2.The Director of Higher Secondary Education,
Nungambakkam, Chennai -6.

3.The District Collector, Madurai District.

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



4.The Chief Educational Officer,
Madurai.

5.The District Educational Officer,
Usilampatti,
Madurai District.

+1 CC to M/s.GP (SR-1658[F] dated 21/01/2021)

+1 CC to M/s.T.S.R.VENKAT RAMANA, Advocate (SR-1559[F] dated
21/01/2021)

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(DKS) CO

AP(11/02/2021) 3P 8C