



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 19.03.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

**W.P. (MD)No. 22291 of 2017**

S.Pandidevi

.. Petitioner

Vs.

1.The Managing Director,  
Tamil Nadu State Road Transport Corporation,  
Madurai Division, Bye Pass Road,  
Madurai.

2.The General Manager,  
Tamil Nadu State Road Transport Corporation,  
Madurai Division, Dindigul Region,  
Bye Pass Road, Dindigul.

3.K.Malliga

4.S.Sasireka

.. Respondents

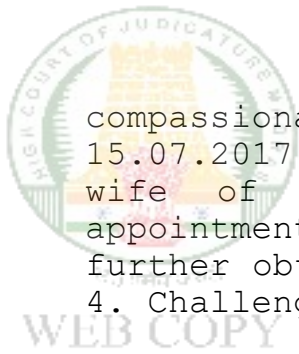
**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, praying issuance of Certiorified Mandamus to call for the records pertaining to the impugned proceedings issued by the first respondent in Ku.Sa.Dindu/WP/10596/2017 dated 15.07.2017 and quash the same and consequently direct the first and second respondents to provide compassionate appointment to the petitioner in the first and second respondents' Corporation due to the death of her husband namely, R.Saravanamuthu.

|                |                          |
|----------------|--------------------------|
| For Petitioner | : Mr.J.Lawrance          |
| For R1 and R2  | : Mr.J.Senthil Kumaraiah |
|                | Standing Counsel,        |
| For R3 & R4    | : Mr.R.Thangapandian     |

**ORDER**

This writ petition is filed challenging the impugned proceedings issued by the first respondent in Ku.Sa.Dindu/WP/10596/2017, dated 15.07.2017 and quash the same and consequently direct the first and second respondents to provide compassionate appointment to the petitioner in the first and second respondents' Corporation, due to the death of her husband namely, R.Saravanamuthu.

2.The case of the petitioner is that the her husband was working as a Driver in the respondent Corporation and he died in harness, due to heart attack, leaving behind the petitioner and three minor children as his legal heirs. After the death of the petitioner's husband, the petitioner has made an application seeking



compassionate appointment and the said application was rejected on 15.07.2017 on the ground that the third respondent, who is the first wife of the petitioner's husband, applied for compassionate appointment to her daughter, who is the fourth respondent herein and further obtained No Objection Certificate from the respondents 3 and 4. Challenging the same, the present writ petition is filed.

3. When the matter is taken up for hearing, the learned Counsel for the petitioner as well as the learned Counsel for the respondents 3 and 4, jointly made a submission that the fourth respondent has no serious objection for providing employment on compassionate ground to anyone of the family members of the petitioner. Accordingly, the learned Counsel for the respondents 3 and 4, on instructions, would submit that the fourth respondent is ready to submit No Objection letter to the petitioner within the time stipulated by this Court.

4. In view of the settlement arrived between the parties, this Court sets aside the impugned order of the first respondent, dated 15.07.2017 in Ku.S.Dindu/WP/10596/2017 and the matter is remanded back to the authorities for fresh consideration. The respondents Corporation shall issue summons to the petitioner as well as the fourth respondent, within a period of two weeks from the date of receipt of a copy of this order and thereafter, the fourth respondent shall submit 'No Objection Certificate' before the authority concerned and thereafter, the respondents Corporation may pass appropriate orders on merits and in accordance with law, within a period of four weeks therefrom.

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

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

To

1. The Managing Director,  
Tamil Nadu State Road Transport Corporation,  
Madurai Division, Bye Pass Road,  
Madurai.

2. The General Manager,  
Tamil Nadu State Road Transport Corporation,  
Madurai Division, Dindigul Region,  
Bye Pass Road, Dindigul.



+1 CC to M/s.R.THANGA PANDIAN, Advocate ( SR-12629[F] dated 22/03/2021 )

+1 CC to M/s.J.LAWRANCE, Advocate ( SR-12797[F] dated 22/03/2021 )

W.P. (MD) No.22291 of 2017  
19.03.2021

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