



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2022

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. No.2083 of 2022

R. Saranya

... Petitioner

Vs.

1. The District Collector,
Erode District,
Erode.

2. The Commissioner,
Ammapettai Panchayat Union,
Ammapettai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of mandamus directing the second respondent to consider and pass orders on the application of the petitioner dated 23.07.2021 for compassionate appointment in an appropriate post.

For Petitioner : Mr. K.S. Viswanathan

For Respondents : Mr. P. Balathandayutham,
Special Government Pleader,
for R1

ORDER

The writ petition has been filed for the issuance of a Writ of Mandamus, directing the second respondent to consider and pass orders on the application of the petitioner dated 23.07.2021 for compassionate appointment in an appropriate post.

2. According to the petitioner, his brother namely one Sasikumar has made an application to the respondents in the year 2014, within a period of three years period as contemplated under the Government Order. But so far, her brother's application has not been considered by the respondents. Thereafter, the petitioner has made an application substituting the earlier application made by her brother, after getting no objection from her brother and her mother. So far, no orders have been passed by the respondents. Hence the petitioner has filed the present writ petition seeking direction to the



respondents to consider the petitioner's application instead of her brother's application for employment under compassionate grounds.

3. At the outset, this court cannot find any ground for giving appropriate direction to consider the petitioner's application for employment under compassionate ground in the light of G.O.(Ms) No.18, Labour and Employment (Q1) Department, dated 23.01.2020. Therefore, learned counsel for the petitioner would submit that this court may direct the authorities concerned to consider the application of her brother and take appropriate decision.

4. Considering the above, this court is of the view that, as per Government Order in G.O.(Ms) No.18, Labour and Employment (Q1) Department, dated 23.01.2020, the time limit to prefer application for employment under compassionate ground is three years from the date of death of the employee. Therefore, it is needless to say that when Government itself has prescribed the time limit for considering the applications under compassionate grounds, in the interests of justice, it is for the respondents to consider the application of the aforesaid Sasikumar, even though he is not a party in the writ petition, in accordance with law without any further delay. With the above observation, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

mnr

To

1. The District Collector,
Erode District,
Erode.

2. The Commissioner,
Ammapettai Panchayat Union,
Ammapettai.

+1cc to the Government Pleader, S.R.No.10303

W.P. No.2083 of 2022

GPL(CO)
SB(28/02/2022)