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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.3113 of 2020

P.Banumathi

.. Petitioner

vs.

1. The Managing Director,
Tamil Nadu Cooperative Milk Producers
Federation Limited (TCMPF),
36-A, Pasumpon Muthuramalingam Thevar Road,
Nandanam Extension, Nandanam,
Chennai-600 035.
2. The District Collector,
Villupuram District.
Villupuram - 605602.
3. The General Manager,
Villupuram Cooperative Milk Producers Union Ltd.,
P.B.61, Kandamangalam Post.,
Vazhuthureddy, Villupuram-605 401.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the third respondent to appoint the petitioner on the ground of compassionate employment as per the records produced to him on 14.06.2019 during the certificate verification.

For Petitioner : Mrs.AL.Gandhimathi

For Respondents: Mr.M.R.Gokul Krishnan,
Additional Government Pleader for R1 & R2

Mr.L.P.Shanmugasundaram for R3

O R D E R

The prayer in this writ petition is for a Mandamus directing the third respondent to appoint the petitioner on the ground of compassionate employment, as per the records produced to him on 14.06.2019 during the certificate verification.



2. The case of the petitioner is that her father Mr. Paranjothi was working as a Factory Assistant in Milk Production and Dairy Development Department in Villupuram Cooperative Milk Producers Union Ltd., Villupuram and he died on 20.08.2006 while he was in service, leaving behind the petitioner, her mother and two sisters as legal heirs. Immediately, the petitioner's mother made an application before the Thasildar, Chidambaram for issuance of Legal Heir Certificate to get the benefits of his father, as legal heirs. But the Thasildar refused to issue the same on the allegation that the petitioner's father married one Mrs. Renuga in the year 2000 and she had two daughters out of wedlock and they also claimed to be the legal heirs. In order to claim succession, the petitioners family filed a Suit for Declaration in O.S.No.92 of 2010 on the file of the Additional District Munsif, Chidambaram and it was decreed in favour of the petitioner. Thereafter, the petitioner submitted an application for compassionate appointment on 13.05.2019, based on the decree dated 10.08.2015 and the Revenue Divisional Officer, Chidambaram had issued a consolidated certificate for the purpose of compassionate ground appointment and based on the same, the third respondent called upon the petitioner to appear for certificate verification on 01.07.2019 and the petitioner also appeared in person along with the certificates on 01.07.2019 and thereafter, no orders have been passed on the petitioner's application and therefore, she has filed the present writ petition.

3. The learned counsel for the petitioner submitted that though the petitioner submitted the application seeking compassionate ground appointment and appeared for certificate verification on 01.07.2019 and produced all the relevant certificates, so far no order has been passed by the respondents and therefore, prays for appropriate orders.

4. Mr. M. R. Gokulkrishnan, learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that the application submitted by the petitioner is pending consideration before the third respondent.

5. In view of the above facts and circumstances, this Court, without expressing anything on merits, directs the third respondent to consider the petitioner's application dated 13.05.2019 seeking appointment on compassionate ground, after providing opportunity to the petitioner and as per the records produced by him, at the time of certificate verification, shall pass orders on its own merits and in accordance with law, as expeditiously as possible, within a period of twelve weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

Jvm

To

1. The Managing Director,
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(TCMPF),
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3. The General Manager,
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P.B.61, Kandamangalam Post.,
Vazhuthureddy, Villupuram-605 401.

+1cc to M/s.AL.Ganthimathi, Advocate, S.R.No.9405

+1cc to the Government Pleader, S.R.No.9531

W.P.No.3113 of 2020

PL (CO)
SU (28/02/2022)