



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.5456 of 2022

A.Loghananth

... Petitioner

vs.

1.The Director General of Police,
Office of the Director General of Police,
Mylapore, Chennai - 600 004.

2.The Commissioner of Police,
Salem District, Salem.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 28.01.2020 on the basis of the G.O.Ms.No.10 Labour cum Employment Department dated 13.02.2009 by providing a suitable post on compassionate grounds.

For Petitioner : Mr.V.Chinnasamy

For Respondents : Mr.S.Rajesh
Government Advocate

O R D E R

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking to issue a Writ of Mandamus directing the respondents to consider petitioner's representation dated 28.01.2020 on the basis of the G.O.Ms.No.10 Labour cum Employment Department dated 13.02.2009, by providing a suitable post on compassionate grounds.

2. The case of the petitioner in brief:

The petitioner is son of A.Arivu, who was working as



Head Constable under the respondent department. On medical ground, the petitioner's father retired from service on 30.04.2018 under "Voluntary Retirement Scheme", but unfortunately, he died on 07.09.2018. The G.O.Ms.No.10 Labour cum Employment Department dated 13.02.2009 mandate that whenever an employee retires on medical grounds, his legal heirs are entitled to seek employment on compassionate grounds. After completing the age of 18 years, the petitioner gave representation dated 28.01.2020, seeking compassionate appointment. Again he send representation on 03.09.2021 and 07.10.2021, but there was no forthcoming results from the respondents. Hence this writ petition.

3. The learned Government Advocate appearing for the respondents submitted that, the representation of the petitioner will be considered by the authorities concerned, if he is otherwise eligible, and appropriate orders will be passed, in accordance with law, within a time frame as fixed by this court.

4. Inview of the above submissions and also considering the limited scope of prayer, without expressing any opinion on merits, this court is inclined to pass orders.

5. Accordingly, it is ordered as follows:

i) The respondents are directed to consider the representation of the petitioner, dated 07.10.2021 and pass orders on its own merits, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of at the admission stage itself. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

ata/mst

To

1.The Director General of Police,
Office of the Director General
of Police,
Mylapore,
Chennai - 600 004.



2.The Commissioner of Police,
Salem District,
Salem.

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+lcc to Mr.V.Chinnasamy, Advocate SR.No.16094
+lcc to the Government Pleader, SR.No.17017

W.P.No.5456 of 2022

MT (CO)
CB (25/03/2022)