



WEB COPY

W.P.No.27723 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.27723 of 2022

J.Gnanapriya

... Petitioner

VS.

1 The Director general of Police,
Mylapore, Chennai-600 004.

2 The Commissioner of Police,
Vepery, Chennai-600 007.

3 S.Gajabooshanam

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the 1st respondent to consider and pass order on the representation dated 06.08.2022 of the petitioner for compassionate appointment without insisting No Objection Certificate from the 3rd respondent herein.

For Petitioner

: Mr.A.Kalaiselvan

For Respondents

: Mr.L.S.M.Hasan Fizal,
Additional Government Pleader

**ORDER**

This writ petition has been filed for a mandamus seeking for a direction to the first respondent to consider the petitioner's representation dated 06.08.2022 seeking for compassionate appointment on account of death of her husband without insisting for no objection certificate from the third respondent who is the mother of the deceased.

2. Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader accepts notice on behalf of the respondents 1 & 2. By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself. Since no adverse orders are going to be passed against the third respondent in this writ petition, notice to the third respondent is dispensed with by this Court.

3. The petitioner is the wife and the third respondent is the mother of the deceased who was working as a Head Constable at the time of his death. The petitioner seeks for compassionate appointment in her favour. However according to the petitioner, she has not been issued appointment order due to the objection raised by the third respondent who is the mother of the deceased



employee. The petitioner has given a representation on 06.08.2022 to the respondents seeking for compassionate appointment. Since the representation has not been considered till date, the petitioner has filed this writ petition.

4. Heard Mr.A.Kalaiselvan, learned counsel for the petitioner and Mr.L.S.M. Hasan Fizal, learned Additional Government Pleader appearing for the respondents 1 and 2.

5. No prejudice would be caused to the respondents, if the petitioner's representation seeking for compassionate appointment is considered on merits and in accordance with law, after affording a fair hearing to the petitioner as well as to the third respondent, within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the respondents 1 & 2 to pass final orders on the petitioner's representation dated 06.08.2022 seeking for compassionate appointment on account of the death of her husband, after affording a fair hearing to the petitioner as well as to the third respondent, within a period of twelve weeks from the date of receipt of a copy of this Order.



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7. With the aforesaid direction, this writ petition is disposed of. No

costs.

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Index:Yes/No

Speaking/Non-speaking orders

To

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- 1 The Director general of Police,
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- 2 The Commissioner of Police,
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ABDUL QUDDHOSE, J.

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