



W.P. No.30480 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 17.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.30480 of 2022

U. Ajay Ganesh

...Petitioner

vs.

1. The District Collector,
District Collectorate,
Salem District.

2. The Deputy Director of Rural Development
& Panchayat Raj,
Salem District,
Salem.

3. The Executive Officer,
Ayothipattinam Town Panchayat,
Salem District.

4. The Commissioner,
Dept. of Town Panchayat,
Commissionerate of Town Panchayats,
Chennai – 600 028.

5. The Joint Director,
Dept. of Town Panchayat,
Commissionerate of Town Panchayats,
Chennai – 600 028.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,



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to issue a Writ of Mandamus directing respondents to consider and pass orders on the petitioner's representation dated 05.04.2022 by granting appointment to any suitable posts on the grounds of compassionate appointment.

For petitioner : Mr.R. Rajesh Vivekananthan
For respondents : Mr.N. Naveen Kumar
Government Advocate for R1
Mr.P. Balathandayutham
Special Government Pleader for R2
Mr.L.S.M. Hasan Fizal,
Additional Government Pleader for R3
Mr.M.Shajahan,
Special Government Pleader for R4 & R5

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Mr.N. Naveen Kumar, learned Government Advocate accepts notice for the 1st respondent, Mr.P. Balathandayutham, learned Special Government Pleader accepts notice for the 2nd respondent, Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader accepts notice for the 3rd respondent and Mr.M.Shajahan, learned Special Government Pleader accepts notice for the 4th and 5th respondents.

3. This writ petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's representation dated 05.04.2022 requesting for compassionate appointment on account of



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death of his father Late P.Uthayasooriyan in the year 1990.

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4. Heard Mr.R.Rajesh Vivekananthan, learned counsel for the petitioner, Mr.N. Naveen Kumar, learned Government Advocate for the 1st respondent, Mr.P. Balathandayutham, learned Special Government Pleader for the 2nd respondent, Mr.L.S.M. Hasan Fizal, learned Additional Government Pleader for the 3rd respondent and Mr.M.Shajahan, learned Special Government Pleader for the 4th and 5th respondents.

5. The petitioner has filed documents along with this writ petition to substantiate his claim that he is entitled for compassionate appointment on account of the death of his father P.Uthayasooriyan, while in public service. The petitioner has given representations earlier, which have not been considered. The last such representation was given on 05.04.2022. Since the representations have not been considered till date, he has filed this writ petition.

6. No prejudice would be caused to the respondents, if the petitioner's representations are considered on merits and in accordance with law, within a time frame to be fixed by this Court.



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7. For the foregoing reasons, this Court directs the 2nd respondent to pass final orders on the petitioner's representations as stated supra, seeking for compassionate appointment on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

8. With the aforesaid directions, this writ petition is disposed of. No costs.

17.11.2022

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order
vsi2

To

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Salem District,
Salem.

3. The Executive Officer,
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Dept. of Town Panchayat,
Commissionerate of Town Panchayats,
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ABDUL QUDDHOSE, J.

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