



W.P.No.1567 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06..07..2023

Coram

THE HON'BLE MR JUSTICE N.SATHISH KUMAR

Writ Petition No.1567 of 2022

and

W.M.P.No.17203 of 2023

A.Sivachanemougam

..... Petitioner

-Versus-

- 1.The Under Secretary to Government,  
Government of Puducherry,  
Department of Personnel & Admin. Reforms,  
(Personnel Wing), Pondicherry.
- 2.The Under Secretary to Government (Transport),  
Government of Pondicherry,  
Transport Department,  
100 Feet Road, Mudaliarpeta,  
Puducherry-605 004.
- 3.The Secretary to Government,  
Government of Pondicherry,  
Agricultural Department,  
Pondicherry.
- 4.The Deputy Director (Admin.)  
Agricultural Department,  
Pondicherry.

..... Respondents



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Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records of the 4<sup>th</sup> respondent relating to the impugned order in NO.6305/Ag/Estt/A9/2021/2323 dated 23.11.2021 and to quash the same and for a further direction to appoint the petitioner on compassionate ground in terms of the scheme for appointment on compassionate grounds of the Government of Pondicherry and also in terms of rulings of the Hon'ble Supreme Court of India in the case of V.Sivamurthy v. State of Andhra Pradesh and others, reported in [(2008) 13 SCC 730]

*For Petitioner* : *Mr.M.A.Abdul Wahab  
for Mr.S.Punniyakotti*

*For Respondents* : *Mr.M.Nirmal Kumar,  
Government Advocate  
(Puducherry) for RR1 to 4*

### **ORDER**

This writ petition challenges the order of the 4<sup>th</sup> respondent dated 23.11.2021 whereby the petitioner was informed that his request has been placed before the Committee for appointment on compassionate ground along with all other pending applications received upto 31.12.2017 and seeks a direction for appointment to the petitioner on compassionate ground.

2. It is the stand of the respondents that the committee had considered the applications received from 1992 till December 2017 for compassionate appointment and out of 78 eligible applicants, the departmental screening



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committee had selected 5 applicants and appointment orders were issued on

03.03.2023 and the petitioner is at Sl.No.5 in the remaining list of 73 non-selected applicants and as and when vacancies arise, the application of the petitioner will be considered based on suitability and merits for appointment on compassionate ground. The learned Government Advocate (Puducherry) has produced a photo copy of the minutes of the committee and also a letter addressed to the Deputy Director (Administration) by the Under Secretary to Government, Department of Personnel and Administrative Reforms (Personnel Wing), Chief Secretariat, Puducherry.

3. In view of the above, the respondents are directed to consider the application of the petitioner for appointment on compassionate ground based on merits as expeditiously as possible when the vacancies arise.

This writ petition is disposed of accordingly with the above directions.

No costs. Consequently connected MP is closed.

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Index : yes / no  
Neutral Citation : yes / no  
Speaking / Non Speaking Order  
kmk



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- To
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N.SATHISH KUMAR.J.,  
kmk

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