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W.P.No.22226 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27..06..2023

Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

Writ Petition No.22226 of 2015

1.D.Nagalakshmi

2.D.Yuvaprabakaran

..... Petitioner

-Versus-

1.The Principal Chief Engineer,
Water Resources and Chief Engineer,
Public Works Department (General),
Chepauk, Chennai 600 005.

2.The Superintendent Engineer,
Public Works Department,
Madurai-2.

3.The Executive Engineer,
Public Works Department,
Madurai 625 002.

..... Respondents

Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records connected with the proceedings issued in Letter NO.S.3(4)/41481/2014 dated 23.07.2014 passed by the 1st respondent and to quash the same and consequently, direct the respondents to appoint the 2nd petitioner on compassionate ground.

For Petitioner : *Mr.S.Ilamvaludhi*

For Respondents : *Mr.K.Tippu Sultan*
GA for RR1 to 3



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ORDER

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2. The petitioners are mother and son respectively. The 1st petitioner's husband and 2nd petitioner's father – P.Dhanasekaran passed away on 22.01.2008. He was working as a helper in the respondent department. At the time of death of the deceased government servant, the 1st petitioner was aged about 33 years and the 2nd petitioner was aged about 14 years and the sister of the petitioner viz., Sathiyapriaya was aged about 13 years. The family of the deceased government servant was accorded family pension. However, as they were denied compassionate appointment, they have come forward with the present writ petition.

3. The application for compassionate appointment was made on 03.02.2011 with a delay of hardly 10 days. I feel that such slight delay need not be put against the petitioner and therefore, the impugned order requires interference at the hands of this court. I take in support of my view the judgement of this court in **P.Sathiarman v. Secretary to Government, Department of Electricity, St. George Fort, Chennai [2015 (2) SLR 347**



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(Mad.)].

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In the result, the writ petition is allowed. The impugned order is set aside. The matter is remitted to the 1st respondent for consideration afresh. The petitioners shall prove that their family continues to be under indigent circumstances even as on today. On production of such certificate and on satisfying the other requirements, the application of the 2nd petitioner for appointment on compassionate ground in any suitable post shall be considered by the 1st respondent afresh as expeditiously as possible. No costs.

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

To

- 1.The Principal Chief Engineer,
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V.LAKSHMINARAYANAN, J.

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