



WEB COPY



WP.No.11540 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2023

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THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P No.11540 of 2021

R.Ramesh

...

Petitioner

/vs/

1. The Inspector General of Police,
West Zone, Coimbatore.

2. The Superintendent of Police,
District Police Office,
Dharmapuri District.

...

Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to consider the petitioner for appointment on compassionate ground based on the petitioner's representation dated 24.03.2021.

For Petitioner : M/s.G.Keerthana

For Respondents : Mr.S.Nanmaran
Special Government Pleader

ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus to direct the 2nd respondent to consider the petitioner's appointment on



compassionate ground based on his representation dated 24.03.2021.

2. Heard, M/s. G.Keerthana, learned counsel for the petitioner and Mr.S.Nanmaran, learned Special Government Pleader for the respondents and perused the materials available on record.

3. The petitioner's father, Mr. M. Ramamurthy, worked as Head Constable 409 at Karimangalam Police Station, Dharmapuri District and he died on 25.07.2006 during harness. The petitioner, being the second son of the deceased father, has submitted a representation dated .11.2009 for a compassionate appointment. The petitioner's representation has not been considered so far by the respondents.

4. In the counter of the respondent, it is submitted that in accordance with G.O. No.155, Labour and Employment Department, dated 16.07.1993, if any one of the family of the deceased government servants is working in government service, no other member of the family is entitled to get a government job on compassionate grounds. It is further submitted that the petitioner's request was rejected in view of his elder brother Karunakaran's appointment as Head Constable in 2004.

5. The learned counsel for the petitioner submitted that the petitioner's brother had been in service even before the death of his father and that his



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brother Karunakaran did not live under the same roof and he did not support the family of the deceased government servant. However, the learned counsel for the petitioner submitted that the petitioner has not been given with any rejection orders so far.

6. Since the respondent has not served with the rejection order and it is still under consideration, the respondent shall consider the representation of the petitioner for compassionate appointment in the context of the family situation and the fact that the petitioner's elder brother lives as a separate family. After considering all these crucial facts, the second respondent is directed to pass the order on the representation of the petitioner within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, this Writ petition is disposed. No costs.

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Index : Yes
Internet : Yes/No
jrs



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R.N.MANJULA, J.
jrs

To

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West Zone, Coimbatore.
2. The Superintendent of Police,
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