



WEB COPY



W.P.No.23990 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2023

CORAM :

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

WP No.23990 of 2019

J.Jayalakshmi

.... Petitioner

-Vs-

1. Government of Tamil Nadu
Represented by its Principal Secretary
Rural Development & Panchayat Raj Department
Fort St.George
Chennai - 600 009

2. The Director / Commissioner
Rural Development & Panchayat Raj Department
having office at Panagal Maaligai
Saidapet, Chennai - 600 015

3. The District Collector
District Collector Office
Coimbatore District

.... Respondents

Prayer :- Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to consider the petitioner for appointment on compassionate ground by considering the representation dated 28.05.2019 and to pass orders on merits and in accordance with law within a time to be stipulated by this Court.



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For Petitioner : Mr.P.Ganesan

For Respondents : Mr.P.Gurunathan
Additional Government Pleader

ORDER

This writ petition has been filed for a direction to the respondents to consider the petitioner for appointment on compassionate ground by considering his representation dated 28.05.2019.

2. The petitioner is the daughter of one K.Jayaraj, who died on 20.01.2010 while in service as Deputy Block Development Officer (Small Savings), Pollachi (South), Coimbatore District in Rural Development and Panchayat Raj Department. It is stated in the petition that other than the petitioner, the said Jayaraj, had two sons who were living separately even before the death of Jayaraj and petitioner is looking after her mother. Therefore, after the death of petitioner's father K.Jayaraj, the petitioner immediately sent a petition on 07.02.2011 to the third respondent requesting to give compassionate appointment to her, which



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was forwarded to the Block Development Officer, Pollachi Union, Coimbatore District, where the petitioner's father lastly worked who in turn forwarded the petition to third respondent for consideration of appointment on compassionate ground. Since the petitioner's application was not traceable, the petitioner sent a reminder representation on 14.08.2013. Thereafter, she got married and was living with her husband along with her mother. It is the case of the petitioner that since her husband is a coolie, she is unable to look after her aged mother and run the family with the meagre income. The petitioner also claims that as per G.O.Ms.No.78 Labour and Employment (Q1) Department dated 21.04.2017, female member of the deceased Government servant is also entitled for compassionate appointment. In this regard, the petitioner also sent another representation on 28.05.2019 seeking compassionate appointment. Since no action has been taken by the third respondent till date, the present petition has been filed before this seeking for appropriate directions.

3. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents.



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4. Taking into consideration the facts and circumstances of the case, there shall be a direction to the respondents to consider the petitioner's representation dated 28.05.2019 on its own merits and in accordance with law and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order. In case the petitioner's representation is rejected, the respondents shall assign proper reasoning for such rejection and communicate the same to the petitioner.

5. This Writ petition is disposed of with the above directions.

No costs.

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Index : Yes/No
Internet : Yes/No
gpa



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To

1. The Principal Secretary
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Fort St.George
Chennai - 600 009

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having office at Panagal Maaligai
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