



W.P.No.26774 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.26774 of 2023

S.Vidhya

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by Secretary to Government,
Labour & Employment Department,
Fort St. George, Chennai – 600 009.

2.The Commissioner cum Joint Director of School Education,
DPI Complex,
Nungambakkam,
College Road,
Chennai.

3.The Chief Education Officer,
Thiruvavarur.

4.The Block Education Officer,
Kudavasal,
Thiruvavarur.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents 1 and 2 to appoint the petitioner in any of the suitable post to which she is eligible on compassionate grounds within a stipulated time by considering the recommendations of the 3rd respondent, dated 06.06.2023.



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For Petitioner : M/s.Aananthi.T.
For R1 to R4 : Mr.V.Jeevagiridharan
Additional Government Pleader

ORDER

This writ petition has been filed to direct the respondents 1 and 2 to appoint the petitioner in any of the suitable post to which she is eligible on compassionate grounds within a stipulated time by considering the recommendations of the 3rd respondent, dated 06.06.2023.

2.It is the case of the petitioner that her father died in harness on 10.07.2006. Thereafter, the petitioner submitted her application for compassionate appointment on 10.10.2011. It is the grievance of the petitioner that, though the 3rd respondent has sent detailed recommendation to the 2nd respondent, the 2nd respondent has not acted upon the recommendations of the 3rd respondent. Hence, the learned counsel for the petitioner would submit that it would suffice if a direction is issued to the 2nd respondent to pass orders based on the recommendations of the 3rd respondent.



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3.Heard the learned counsel for the petitioner and Mr.V.Jeevagiridharan, learned Additional Government Pleader, who takes notice for the respondents 1 to 4.

4.On a perusal of the letter of the 3rd respondent in Na.Ka.No.4971/A2/2020, dated 06.06.2023, it is seen that the 3rd respondent has addressed the 2nd respondent and sent all the details with regard to the petitioner's application for compassionate appointment after enquiry, by also enclosing the Enquiry Report along with the letter. Therefore, the 2nd respondent is directed to take a call on the communication of the 3rd respondent, dated 06.06.2023, and take a decision on its own merits and in accordance with law, and pass appropriate orders, within a period of two months from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs.

mkn

19.09.2023



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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

- 1.The Secretary to Government,
Government of Tamil Nadu,
Labour & Employment Department,
Fort St. George, Chennai – 600 009.
- 2.The Commissioner cum Joint Director of School Education,
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N. SATHISH KUMAR, J.
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