



WEB COPY



W.P. No.34761 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2023

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.34761 of 2022 and W.M.P. No.34178 of 2022

Uma Maheswari

.. Petitioner

vs.

1.The District Collector,
Erode,
Erode District – 638 011.

2.The Executive Officer,
Sivagiri Town Panchayat,
Sivagiri – 638 109,
Erode District.

.. Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the second respondent to appoint the petitioner as Sweeper/Sanitary Worker in the compassionate appointment by nullifying the information furnished by the second respondent.

For Petitioner : Mr.P.Kannan Kumar

For Respondents : Mr.Stalin Abimanyu,
Additional Government Pleader
for R1

Mr.Abishek Murthy,
Government Advocate for R2



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ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2.Mr.Stalin Abimanyu, learned Additional Government Pleader accepts notice on behalf of the first respondent and Mr.Abishek Murthy, learned Government Advocate accepts notice on behalf of the second respondent.

3.This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to appoint the petitioner as Sweeper/ Sanitary Worker on compassionate appointment by nullifying the information furnished by the second respondent.

4.The grievance of the petitioner in this writ petition is that her request for compassionate appointment as a Sweeper/Sanitary Worker on account of the death of her father Late Shanmugam, who was an employee with the second respondent, has not been considered till date. The petitioner has received information under the Right to Information Act that her request for compassionate appointment has been rejected on



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the ground that her mother is an employee on part-time basis. However, till date, the petitioner has not received any information from the respondents rejecting her request for compassionate appointment.

5.Learned Additional Government Pleader appearing for the first respondent would submit that as directed by this Court, final orders will be passed by the second respondent on the petitioner's request for compassionate appointment.

6.His statement is recorded.

7.No prejudice would be caused to the respondents if a direction is issued to the second respondent to pass final orders on the petitioner's representation seeking for compassionate appointment, within a time frame to be fixed by this Court, on merits and in accordance with law.

8.For the foregoing reasons, this Court directs the second respondent to pass final orders, on merits and in accordance with law on the petitioner's request for compassionate appointment due to the death of her father Late Shanmugam, who was an employee with the second



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ABDUL QUDDHOSE, J.

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respondent, after giving due consideration to the documents produced by the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

9. With the aforesaid direction, this writ petition is disposed of. Consequently, W.M.P. No.34178 of 2022 stands closed. No costs.

02.01.2023

Index: Yes/No

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To

1. The District Collector,
Erode,
Erode District – 638 011.

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Sivagiri Town Panchayat,
Sivagiri – 638 109,
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