



W.P.(MD)No.1014 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:19.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.1014 of 2023

K.Ayyammal

... Petitioner

Vs.

1.The Principal Secretary/The Director,
Tamil Nadu State Transport Corporation Limited,
Secretariat,
Fort St.George, Chennai-9.

2.The Managing Director,
Tamil Nadu State Transport Corporation Limited,
By-pass Road, Madurai-625 010.

3.The General Manager,
Tamil Nadu State Transport Corporation Limited,
By-pass Road, Madurai-625 010.

4.The Branch Manager,
Tamil Nadu State Transport Corporation Limited,
TNSTC Deport, Melur,
Madurai District-625 106.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd and 3rd respondents to re-consider the petitioner's representation dated 31.01.2022 for the



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compassionate appointment to the petitioner's elder son, namely, Amarnath, for the death of the petitioner's husband, namely, Karunakaran, taking into account the petitioner's application which was submitted within the stipulated time limit.

For Petitioner : Mr.N.A.Palaniyandi

For Respondents : Mr.C.Satheesh

Government Advocate for R1

Mr.K.Ramaiah

for RR2 to R4

ORDER

This writ petition has been filed for a direction to the respondents 2 and 3 to re-consider the petitioner's representation, dated 31.01.2022 for the compassionate appointment to her elder son, namely, Amarnath, for the death of her husband, namely, Karunakaran, within the stipulated time fixed by this Court.

2. The learned counsel appearing for the petitioner would submit that the petitioner's husband was working as Conductor in the respondents Corporation and he died in the year 2008 leaving behind the petitioner and his legal heirs. Hence, the petitioner has made a



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representation to provide compassionate appointment on 31.01.2022 to the respondents and the same was received and acknowledged by them. Thereafter, the third respondent issued a reply dated 05.03.2022 by stating that the Government Order issued in G.O.(Ms).No.18, Labour and Employment (Q1) Department, dated 23.01.2020, restricted them for receiving alternative application on the compassionate ground only in the case of death of the legal heir of the deceased employee who is seeking the job. Hence, the present writ petition has been filed to re-consider the representation of the petitioner dated 31.01.2022.

3. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the first respondent and the learned counsel appearing for the respondents 2 to 4.

4. Admittedly, the petitioner's husband was working as Conductor in the respondents Transport Corporation and he died in the year 2008. Thereafter, she has made a representation to the respondent through post on 31.01.2022. After receiving the representation of the petitioner, the



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third respondent has issued a reply dated 05.03.2022 stating that the Government Order issued in G.O.(Ms).No.18, Labour and Employment (Q1) Department, dated 23.01.2022, restricted them from receiving alternative application on the compassionate ground only in the case of the death of the legal heir of the deceased employee who is seeking the job. However, without challenging the reply issued by the third respondent, filing a writ petition under Article 226 of the Constitution of India to re-consider the representation of the petitioner is not sustainable one.

5. Accordingly, this Writ Petition is dismissed. No costs.

19.01.2023

ssb

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

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M.DHANDAPANI,J.

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