



W.P(MD)No.5186 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5186 of 2021
and
W.M.P.(MD)No.4158 of 2021

P.Selvamadhan

... Petitioner

Vs.

1.The Deputy Director,
Directorate of Employment and Training,
Government of Industrial Training Institute,
Alanthur Road, Guindy,
Chennai – 600 032.

2.The Principal,
Government Industrial Training Institute,
Sulakkarai, Virudhunagar – 626 003.

3.The District Collector,
The District Collectorate,
Sattur Road,
Virudhunagar – 626 002.

4.P.Manikavasanth

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus,



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calling for the records of the 2nd respondent letter Na.Ka.No.3916/PA/2018 dated 17.02.2021 and quash the same and consequently direct the respondents 1 to 3 to appoint the petitioner herein in any suitable post on compassionate grounds in Government Industrial Training Institute.

For Petitioner : Mr.M.Vijayarathinam

For Respondents : Mr.T.Villavan Kothai,
Addl. Government Pleader for R1 to R3.
Mr.S.Micheal Heldon Kumar for R4.

ORDER

Heard the learned counsel on either side.

2.One Anbuselvi was working as Office Assistant in the second respondent office. She passed away on 15.10.2018 while in service. The writ petitioner and the fourth respondent are the surviving legal heirs. An application for compassionate appointment was submitted on 17.10.2019. This is within time. Since a dispute arose between the petitioner and the fourth respondent, the request was negated by the impugned order. Challenging the same, the present writ petition came to be filed.



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3. When the matter was taken up for hearing, the learned counsel for the fourth respondent clarified that the fourth respondent has no objection for considering the petitioner's request. Therefore, the second respondent has to necessarily consider the petitioner's application for appointment on compassionate grounds. If the petitioner's application is otherwise in order and fulfils all the requirements, his application shall be favourably considered. Of course, I am conscious that the applicant will have to wait for his turn. As and when his turn comes, the petitioner shall be appointed in any appropriate post.

4. This writ petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

27.06.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

ias

To:-

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