



W.P.(MD).No.19199 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.19199 of 2022

Vasanth

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Theni District,
Theni.

2.The Block Development Officer,
Cumbum Union,
Cumbum,
Theni District.

3.The Commissioner,
Cumbum Panchayat Union,
Cumbum,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents herein to pass appropriate orders on his application dated 20.09.2004 seeking job under compassionate ground as expeditious as possible within the time fixed by this Court.



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For Petitioner	: Mr.V.Chandrapandi
For RR 1 & 3	: Mr.D.S.Neduncheliyan Government Advocate
For R – 2	: Mr.B.Saravanan Additional Government Pleader

ORDER

The present Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents to pass appropriate orders on his application dated 20.09.2004 seeking job under compassionate ground as expeditious as possible within the time fixed by this Court.

2.The petitioner's mother namely Vairamani worked as a Cook in Noon-meal Centre at Cumbum Union in Nesan Road Primary School. While she was in service, she died on 16.08.2004. Immediately after her death on 20.08.2004, the petitioner made an application seeking a compassionate appointment. However, the said application was kept pending endlessly and was not considered by the respondents and hence, this Writ Petition came to be filed.



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3.Heard Mr.V.Chandrapandi, learned counsel appearing for the petitioner, Mr.D.S.Neduncheliyan, learned Government Advocate, appearing for the respondents 1 and 3 and Mr.B.Saravanan, learned Additional Government Pleader, appearing for the second respondent and perused the materials available on record.

4.This case is a typical example of the callousness of the respondents, who have not come forward to consider an application seeking compassionate appointment for more than 19 years. However, the learned Government Advocate appearing for the respondents 1 and 3 submitted that after the filing of this Writ Petition, the first respondent has considered the application of the petitioner and has forwarded the same to the Social Welfare Department of the State for appropriate action.

5.In view of the same, since the application is submitted well within three years in the light of G.O(Ms)No.18, Labour and Employment (Q1) Department, dated 23.01.2020, this Court directs the respondents to immediately appoint the petitioner in a suitable post within a period of five weeks from the date of receipt of a copy of this order.



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6.With the above direction, this Writ Petition is disposed of.

There shall be no order as to costs.

14.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes
ps



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To

- 1.The District Collector,
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Theni.
- 2.The Block Development Officer,
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Cumbum,
Theni District.
- 3.The Commissioner,
Cumbum Panchayat Union,
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L.VICTORIA GOWRI, J.

ps

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