



W.P(MD)No.22710 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.10.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.22710 of 2023

M.V.Balapravinkumar

... Petitioner

Vs.

1.The Commissioner,
School Educational Department,
Directorate of School Educational Department,
Chennai.

2.The District Elementary Educational Officer,
Nagercoil,
Nagercoil District.

3.The Assistant Elementary Educational Officer,
Rajakkamangalam,
Kanyakumari District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation, dated 25.10.2022 for appointment under compassionate ground in the place of his deceased mother P.Vanaja in any of the available appropriate post.

For Petitioner : Mr.S.Kishore Kumar



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For Respondents : Mr.V.Om Prakash
Government Advocate

ORDER

The present writ petition has been filed seeking a Mandamus to direct the 1st respondent to consider the petitioner's representation, dated 25.10.2022 for appointment under compassionate ground in the place of his deceased mother P.Vanaja. Though the date in the prayer is mentioned as 25.10.2022, actually the petitioner has sent a representation to the 1st respondent on 27.09.2022 and the same has also been acknowledge by the office of the 1st respondent.

2. The petitioner's mother while working as a Secondary Grade Teacher, had died in harness on 20th April 2013. The petitioner had presented an application seeking compassionate appointment on 23.06.2014. The said request has been rejected by the 2nd respondent herein by an order, dated 22.04.2019 on the ground that on the date of filing of such an application, the petitioner was a minor. The petitioner had filed an appeal before the Joint Director of School Education. By an order, dated 08.03.2021, he had confirmed the order of the 2nd



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respondent. Challenging the same, the petitioner has filed a further appeal to the 1st respondent herein on 27.09.2022. Since there is no response from the office of the 1st respondent, the present writ petition has been filed.

3. The 1st respondent had in fact received the representation, dated 27.09.2022 and it has also been acknowledged. Without going into the merits of the issue, the 1st respondent is directed to consider the said application on merits and in accordance with law, especially in the light of G.O.Ms.No.33, Labour Welfare and Skill Development (Q1) Department, dated 08.03.2023 and pass orders within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4. With the said observations, this Writ Petition stands disposed of.

No costs.

05.10.2023

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

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R.VIJAYAKUMAR,J.

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Order made in
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