



W.P(MD)No.23706 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.12.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.23706 of 2023

J.Prabhu

... Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The Executive Officer,
Musiri Town Municipality,
Musiri,
Tiruchirapalli District.

3.The Commissioner,
Musiri Town Municipality,
Musiri,
Tiruchirapalli District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing to appoint the Petitioner in the post of Sanitary Worker in the 2nd respondent Town Corporation in the light of his representation, dated 08.05.2023.

For Petitioner : Mr.R.Sakthivel



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For R1 : Mr.R.Suresh Kumar
Additional Government Pleader

For R2 : No Appearance

For R3 : Mr.K.R.Kishore Ram

ORDER

The present writ petition has been filed seeking a Mandamus as against the 3rd respondent to consider his representation for compassionate appointment.

2. The petitioner's father, who was working as Sanitary Worker had retired on the ground of medical invalidation on 22.06.2018. The petitioner has made an application on 01.07.2020 seeking compassionate appointment. The said application was rejected by the 2nd respondent on 16.03.2021 on the ground that a criminal case is pending as against the writ petitioner. On 21.03.2023, the petitioner has been acquitted by the Judicial Magistrate, Musiri and the said order has become final.

3. In view of the acquittal from the criminal case, the petitioner has given a fresh representation on 08.05.2023 seeking compassionate appointment. The petitioner has sent reminder letters on 05.06.2023 and



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26.06.2023. Since there is no response, the present writ petition has been filed.

4. Considering the above said facts, the 3rd respondent is directed to reconsider his decision of rejection of compassionate appointment in the light of the order of the Judicial Magistrate, Musiri in C.C.No. 102/2021, dated 21.03.2023 and pass orders on merits within a period of eight (8) weeks from the date of receipt of copy of this order.

5. With the above said observations, this Writ Petition stands disposed of. No costs.

12.12.2023

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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