



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2023

CORAM

**THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.30600 of 2023**

**and**

**W.M.P(MD)Nos.26306 & 26307 of 2023**

M.Sangeetha

... Petitioner

Vs.

1.The Commissioner of School Education,  
College Road, Chennai-600 006.

2.The Director of School Education,  
College Road, Chennai-600 006.

3.The Chief Educational Officer,  
Trichy District, Trichy.

4.The District Educational Officer,  
Lalgudi, Trichy District.

5.The Headmaster,  
The Government Higher Secondary School,  
Malvai, Trichy District.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings issued by the fifth respondent Headmaster, the Government Higher Secondary School, Malvai, Trichy District



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in Na.Ka.No.48/2022, dated 06.12.2022, quash the same and further direct the respondents to give Compassionate Appointment to the petitioner.

For Petitioner : Mr.S.Xavier Rajini

For Respondents : Mr.V.Om Prakash  
Government Advocate

### **ORDER**

The present writ petition has been filed seeking to quash the order passed by the fifth respondent herein, wherein he has chosen to reject the request of the petitioner for compassionate appointment.

2. The petitioner's father, who was working as a Junior Assistant in the fifth respondent School had passed away on 20.01.2002. According to the petitioner, she had submitted an application to the fifth respondent on 22.02.2002 seeking compassionate appointment. However, under the impugned order, dated 06.12.2022, the fifth respondent has chosen to reject the application on the ground that it has been filed beyond a period of three years. According to the learned Counsel appearing for the writ petitioner, fifth respondent is only the forwarding authority and the deciding authority is the third respondent herein.



3. In view of the above said facts, the order impugned in the writ petition is set aside. The fifth respondent herein is directed to forward the application of the writ petitioner to the third respondent, within a period of four (4) weeks from the date of receipt of a copy of this order. In case if the third respondent finds that the application of the writ petitioner is within the period of three years and if she is otherwise qualified, he may the consider the same on merits and in accordance with law and pass orders, within a period of twelve (12) weeks thereafter.

4. With the above said direction, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

**21.12.2023**

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

To

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College Road, Chennai-600 006.



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**R.VIJAYAKUMAR, J.**

BTR

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