



W.P.No.4974 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.4974 of 2020

M.Safiya Begam

...

Petitioner

/vs/

1. The Chief Secretary to Government,
Fort St. George,
Chennai – 9.

2. The Secretary to Government,
Education Department,
Fort St. George,
Chennai – 9.

3. The Director,
DPI, School Education,
Chennai – 6.

4. The District Collector,
Nagapattinam District.



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5. District Educational Officer,
Seerkali,
Nagapattinam District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to consider the petitioner's representation dated 26.12.2019 and consequently direct the respondents to give any Government job to the petitioner after considering her “orphanage priority category”.

For Petitioner ... Mr.T.Muthuraj
for Mr.S.N.Subramani

For Respondents ... Mr.R.Neethiperumal
Government Advocate

ORDER

The petitioner has filed this Writ Petition seeking direction to consider the her representation dated 26.12.2019 and consequently direct the respondents to give any Government Job to her under “Orphanage Priority” category.

2. Mr.T.Muthuraj, the learned counsel for the petitioner, submitted that the petitioner lost all of her six family members in 'Tsunami'; the



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petitioner passed her 10th Standard during the year 2017 and she scored 459 marks; the Government announced employment to 'Okki' Cyclone affected people during the year 2018 and issued G.O.(Ms) No.111, Animal Husbandry, Dairying and Fisheries (FS-3) Department dated 31.05.2018 and appointed 188 family members in Government Job; the petitioner who is also one of the persons affected due to the said natural calamity sent a representation to the Government to consider her situation and offer her any appointment in Government Departments; since the same was not considered, the present petition has been filed.

3. Mr.R.Neethiperumal, the learned Government Advocate, submitted that the representation of the petitioner cannot be considered because she has not produced any records to prove that she had lost her parents and relatives due to 'Tsunami' which occurred in the year 2004 and that the petitioner cannot claim appointment on compassionate ground in the absence of any Government Order. It is further submitted that the petitioner has come out with this claim after 15 years of occurrence of Tsunami and all the rehabilitation scheme consequent to 'Tsunami' has



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been completed and normalcy restored.

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4. The petitioner stated that she got affected due to 'Tsunami' which occurred in the year 2004, by losing all her family members. It is up to the Government to consider the representation of the petitioner in a benevolent manner by taking into consideration of all those records produced by her and pass appropriate orders in accordance with law. In the event of any legal impediment to accommodate her in Government Department, her case may be considered to be accommodated in any other public sector or private sector undertaking under any employment scheme. The petitioner may also be allowed to participate in the job fair conducted by the Government by granting relaxation of age, if needed and deemed fit.

5. With the above observations, this writ petition is disposed. No costs.

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Index: Yes / No
Speaking order / Non-speaking order
bkn



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R.N.MANJULA ,J.

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