



WEB COPY



W.P.No.9082 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.9082 of 2021

Manjula

... Petitioner

Vs.

- 1.The Secretary to Government,
Transport Department,
Fort St.George, Chennai 600 009.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation,
Coimbatore Zone,
No.37, Mettupalayam Road,
Coimbatore 641 043.
- 3.The Managing Director,
Tamil Nadu State Transport Corporation,
Erode Zone,
Chennimalai Road, Erode.
- 4.The General Manager,
Tamil Nadu State Transport Corporation,
Erode Zone,
Chennimalai Road, Erode.
- 5.The Branch Manager,
Tamil Nadu State Transport Corporation,
Palani Depot -2,
Thiruppur Zone,
Palani, Dindigul District.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 3rd and 4th respondents to appoint the petitioner in any suitable job on compassionate ground based on personal approach from the year 2012 and representations dated 11.07.2013, 12.02.2014, 12.03.2014 and 03.02.2021.

For Petitioner : Mr.S.Jayaprakash
For Respondents : Mr.T.Chezhiyan, AGP for R1
Mr.Murali Vinodh for RR2 to 4
No appearance for R5

ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the 3rd and 4th respondents to appoint the petitioner in any suitable job on compassionate ground based on personal approach from the year 2012 and representations dated 11.07.2013, 12.02.2014, 12.03.2014 and 03.02.2021.

2. Heard Mr.S.Jayaprakash, learned counsel for the petitioner and Mr.T.Chezhiyan, learned Additional Government Pleader for R1 and Mr.Murali Vinodh, learned counsel for R2 to R4.

3. The petitioner's father joined as Driver in the respondent Corporation and died on 04.04.2010 in harness. The mother of the



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petitioner pre-deceased her father. It is submitted that the petitioner's father developed chest pain while in duty and stopped the bus on the roadside and saved the life of so many passengers on board. Thereafter, he was rushed to the Government Hospital, there he was declared dead.

4. In the year 2012, the petitioner's brother gave a representation to the fourth respondent seeking employment on compassionate ground. But it was informed that the petitioner's brother did not have any educational qualification. So the petitioner who is the daughter of the deceased had given a representation along with the educational certificates. From 19.04.2013 onwards the petitioner is sending representations every now and then to the respondents and other authorities. But so far, it has not been considered.

5. The inordinate delay involved in considering the petitioner's representation for compassionate appointment would frustrate the very object of compassionate appointment scheme itself. The petitioner has lost both the parents of her. The claim of the petitioner ought to have



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been dealt in a humanitarian manner by the respondents 3 and 4. But without passing any orders, the petitioner is made to run from pillar to post for more than 10 years, which is unfair.

6. In view of the above stated reasons, this Writ Petition is disposed and the respondents 3 and 4 are directed to consider the claim of the petitioner in accordance with the compassionate appointment scheme and the qualification of the petitioner and accommodate the petitioner, if she is otherwise found eligible to be appointed on compassionate ground and pass orders in this regard within a period of six weeks from the date of receipt of a copy of this order. No costs.

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

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R.N.MANJULA, J.

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