



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.12245 of 2021

1.D.Mohana

2.D.Sundaresan

...

Petitioners

versus

1.The Principal Secretary to Government,
Rural Development & Panchayat Raj Department,
Secretariat, Chennai - 9.

2.The Principal Secretary to Govt. /
Director of Rural Development & Panchatyat Raj,
Chennai - 5.

3.The District Collector,
(Development Wing),
Collectorate, Dharmapuri District.

4.The Commissioner,
Panchayat Union Officer,
Nallampalli, Dharmapuri District. ...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the claim of the first petitioner for appointment of her son, the second petitioner herein, on compassionate grounds, consequently on the death of late N.Dharman (Husband and father of petitioners 1 and 2 respectively), on 04.06.2014, while serving as Office Assistant, in a suitable post commensurate with his educational qualifications, by considering the representation dated 22.01.2021.



For Petitioners : Mr.G.Punniakoti
For Respondents : Mr.M.Rajendran
Additional Government Pleader

ORDER

The petitioners had filed this petition seeking a writ of mandamus, directing the respondents to consider the representation of the 1st petitioner dated 22.01.2021 for compassionate appointment for her son, the 2nd petitioner herein.

2. Heard Mr.G.Punniakoti, learned counsel for the petitioners, Mr.M.Rajendran, learned Additional Government Pleader for the respondents and perused the materials available on record.

3. The petitioner's husband who worked as an Office Assistant in the 4th respondent Panchayat Union died in harness on 04.06.2014. Hence, the 1st petitioner made a representation on 24.07.2014 to the respondents to provide compassionate appointment for her son, the 2nd petitioner herein and the same was not considered by them so far.



4. Mr.G.Punniakoti, learned counsel for the petitioners submitted that as per the comprehensive guidelines for appointment on compassionate ground, the eligibility criteria as per G.O.(Ms).No.18, Labour and Employment (Q1) Department, dated 23.01.2020, the children of Government servants who died under suspension and yet to reach the age of superannuation are entitled to get the benefit of compassionate appointment. But the respondents had not passed any order on the representation given by the 1st petitioner.

5. Mr.M.Rajendran, learned Additional Government Pleader for the respondents submitted that another Government Order has also been passed in G.O.(Ms).No.102, Rural Development and Panchayat Raj (E5) Department, dated 13.02.2015.

6. The above said Government Order is only an extension of existing the scheme for the persons who worked as a Panchayat Secretary as well. It only shows that the 1st petitioner's husband who worked as an Office Assistant will come under the compassionate appointment scheme and hence the respondents shall consider the representation of the 1st petitioner.



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In the result, this Writ Petition is **disposed** and the respondents are directed to consider the representation of the 1st petitioner dated 22.01.2021 and to provide an appointment to the 2nd petitioner under the compassionate grounds suiting to the qualification and pass an order to that effect within a period of six (6) weeks from the date of receipt of the copy of this order. No costs.

09.01.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri



To

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R.N.MANJULA, J.

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