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W.P. No.12519 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM

THE HONOURABLE MS. JUSTICE R. N. MANJULA

W.P. No.12519 of 2021

K.Gnanadeebam

...Petitioner

Vs.

1.The Chairman cum Managing Director,
Chennai Petroleum Corporation Limited,
A Group Company of Indian Oil,
No.536, Anna Salai Teynampet,
Chennai-600 018.

2.The Greater Manager,
Chennai Petroleum Corporation Limited,
A Group Company of Indian Oil,
Manali, Chennai- 600 068.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of mandamus, directing the respondents herein to consider the petitioner's claim for appointment on compassionate grounds to her elder son K.Aravind in any suitable post commensurate with his qualification in view of her representation dated 14.09.2019.

For Petitioner : Mr.S.Shinu

For Respondents : Mr.Sanjay Mohan
for M/s. S.Ramasubramaniam & Associates
for respondents 1 and 2



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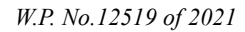
ORDER

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The writ petition is filed for the issuance of a writ of mandamus, directing the respondents herein to consider the petitioner's claim for appointment on compassionate grounds to her elder son K.Aravind Kumar in any suitable post commensurate with his qualification in view of her representation dated 14.09.2019.

2. The petitioner is the wife of deceased Kuppan, who was working as a Senior Engineer in the Maintenance Department with the second respondent. The petitioner's husband died in harness on 10.11.2014. After the demise of her husband Kuppan, the petitioner has made a representation dated 03.06.2015 to the respondent seeking appointment on compassionate grounds to her elder son K.Aravind Kumar. Thereafter, the petitioner has sent a reminder dated 14.09.2019 to the respondent. The request of the petitioner seeking compassionate appointment has not been so far considered by second respondent. Hence, the petitioner has filed the present writ petition.

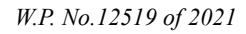
3. Attention was drawn to letter of the second respondent dated



4. Mr.Sanjay Mohan, learned Senior counsel for the respondent submitted that the scheme for providing compassionate appointment itself has come into force only with effect from 28.01.2015, which is subsequent to the date of the death of the husband of the petitioner. In the said scheme, the following options have been given for the rehabilitations of the family of the deceased:

Option 2: An amount equivalent to 60 (Sixty) months of last drawn salary (Basic Pay plus DA) to be paid as rehabilitation grant to the spouse of the employee.

Option 3: Employment to one of the eligible, suitable dependent son/daughter possesses prescribed qualifications and fulfils the job requirements provided induction level vacancy exists within 3 years of death/permanent total



5. Learned Senior Counsel further submitted that the petitioner' son Aravind Kumar does not have the eligibility to get any appointment in the second respondent Corporation. Hence, it is difficult to consider the representation of the petitioner.

6. The records would show that the second respondent has kept the file pending due to some spot over the issue, even though there was no Scheme in place at the relevant point of time. However, no orders have been passed so far on the representation of the petitioner. Hence, the second respondent can show some indulgence and work out any possibility of accommodating the petitioner's son in any suitable employment and dispose the representation dated 14.09.2019 of the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above directions, the writ petition stands disposed of. There will be no order as to costs.

24.01.2024

Index : Yes / No



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Internet : Yes/ No
mrn

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To

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A Group Company of Indian Oil,
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Chennai-600 018.

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R. N. MANJULA, J.

(mrn)

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