



W.P.No.17360 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.17360 of 2024

C.Maheswari

... Petitioner

Vs

1. The Secretary to Government,
Department of Fisheries,
Secretariat Building,
Chennai – 09.
2. The District Collector,
Salem,
Salem District.
3. The Director,
Department of Fisheries,
Chennai.
4. The Deputy Director,
Fisheries Department,
Dharmapuri Zone,
Dharmapuri District.
5. The Assistant Director,
Fisheries Department,
Mettur Dam Fisherman Cooperative Marketing Society Limited,
KK – 98, Mettur,
Salem District.



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6. Mettur Dam Fisherman Cooperative Marketing Society Limited,

Rep. by its Secretary,
KK-98, Mettur Dam,
Mettur,
Salem District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to appoint the petitioner for any suitable post on compassionate ground with the respondents' department with all monetary/service benefits by considering the petitioner's representation dated 22.12.2023.

For Petitioner : Mr. K.Prabhakaran

For Respondents : Mrs. P.Vijaya Devi,
Government Advocate (for R1 to R5)

Mrs. K.Vasanthamala,
Government Advocate (for R6)

O R D E R

The Writ Petition has been filed for directing the respondents to consider the representation dated 22.12.2023 submitted by the petitioner seeking appointment on compassionate grounds.

2. The petitioner's husband had joined in the sixth respondent/Co-



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operative Society on 01.06.2013 as a daily wage labour for the post of Supervisor/Salesman. However, the petitioner's husband service was not regularized and as such, he approached the Inspector-cum-Labour Inspector, Salem, for regularization by way of application in A. No.501 of 2017 and the Inspector-cum-Labour Inspector, Salem by order dated 23.06.2017 directing the sixth respondent to regularize the service of her husband from the date of completion of 480 days of his service. However, the said direction was not complied with and as such, the petitioner's husband was constrained to file Writ Petitions before this Court in W.P. Nos. 31540 and 17849 of 2018 and this Court by order dated 02.11.2023 directed the sixth respondent to implement the order passed by the Inspector-cum-Labour Inspector, Salem in A. No.501 of 2017, within a period of eight weeks from the date of receipt of a copy of that order. While that being so, unfortunately, the petitioner's husband died due to illness. Therefore, the petitioner submitted representation seeking appointment on compassionate grounds.

3. The learned Government Advocate appearing for the sixth respondent submitted that aggrieved by the order passed by this Court in



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W.P. Nos. 31540 and 17849 of 2018 dated 02.11.2023, the sixth respondent filed a Writ Appeal in W.A.SR.No.18943 of 2024 and it is pending at the stage of condone delay without any interim order.

4. In view of the above facts and circumstances of the case, this Court directs the fifth and sixth respondents to consider the representation dated 22.12.2023 submitted by the petitioner on merits and in accordance with law, subject to the result of the Writ Appeal filed by the sixth respondent.

5. With the above directions, this Writ Petition is disposed of. No costs.

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Index:Yes/No
Neutral Citation/Yes/No
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