



W.P.(MD).No.1435 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.1435 of 2024

B.Saravanan

... Petitioner

Vs

1. The Commissioner,
Adi Dravidar Welfare Commission,
Chepauk, Chennai - 600 005.
2. The District Adi Dravidar And Tribal Welfare Officer,
Theni District.
3. The District Collector,
Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to consider the petitioner for compassionate appointment on merit and in accordance with law as per the representation of petitioner, dated 31.12.2021 in the light of G.O.Ms.No.216 Labour and Employment Department, dated 15.11.2007 and G.O.Ms.No.18, dated 23.01.2020.

For Petitioner : Mr. K.Appadurai

For Respondents : Mr.J.K.Jayaselan
Government Advocate



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ORDER

The present writ petition has been filed seeking for a mandamus, directing the respondents to consider the petitioner for compassionate appointment on merit and in accordance with law as per the representation of petitioner, dated 31.12.2021 in the light of G.O.Ms.No.216 Labour and Employment Department, dated 15.11.2007 and G.O.Ms.No.18, dated 23.01.2020.

2.Heard, the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents. Perused the materials on record.

3.The petitioner's father worked as a Cook in the Adi Dravidar Welfare Boys Hostel, Chinnamanur, Theni District. While in service, he died on 10.07.2021. He was survived by his wife, one daughter and one son, ie., petitioner. The petitioner made two applications on 31.12.2021 and 28.03.2022 seeking appointment on compassionate grounds and the same were not considered. Hence, this writ petition came to be filed.



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4.The learned Government Advocate, on instructions, submitted that the petitioner is overqualified for the post of Cook and Watchman and as and when suitable post arise for his qualification, the case of the petitioner would be considered. There are three Seniority Registers maintained by the Department ie., one with District Adi Dravidar Welfare Department, another one with District Collectorate and the third one with Directorate of Adi Dravidar Welfare Department, Chennai and the case of the petitioner has already been recommended. The petitioner has been placed in 11th rank in the District Adi Dravidar Welfare Department and 105AD Rank in the District Collectorate and 356 rank in the Directorate of Adi Dravidar Welfare Department, Chennai.

5.Recording the said submission, this Court hereby direct the respondents to consider the representations of the petitioner seeking appointment on compassionate grounds, dated 31.12.2021 and 28.03.2022 and appoint her in a suitable post in terms of seniority list maintained by the District Adi Dravidar Welfare Department, District Collectorate and the Directorate of Adi Dravidar Welfare Department, Chennai.



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6. With the above direction, this writ petition stands disposed of.

There shall be no order as to costs.

07.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM

To

1. The Commissioner,
Adi Dravidar Welfare Commission,
Chepauk, Chennai - 600 005.
2. The District Adi Dravidar And Tribal Welfare Officer,
Theni District.
3. The District Collector,
Theni District.



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L.VICTORIA GOWRI, J.

PNM

**ORDER IN
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