



W.P.(MD).No.1436 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.1436 of 2024

R.Manojkumar

... 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 pending in File No.E6/20481/2021 as per proceedings of 1st respondent in Na.Ka. No. E6/6309/2020, dated 12.10.2021.

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 herein to consider the petitioner for compassionate appointment on merit and in accordance with law pending in File No.E6/20481/2021 as per proceedings of 1st respondent in Na.Ka. No. E6/6309/2020, dated 12.10.2021.

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 wife worked as a Warden in the Adi Dravidar Girls Hostel, Chinnamanur. Being affected with Covid-19 while in service, she died on 16.05.2021. She was survived by her husband, one minor daughter. The petitioner made application seeking appointment on compassionate ground. The 1st respondent sent a letter, dated 12.10.2021 to the 2nd respondent seeking original file and testimonials of the petitioner. Thereafter, there was no response from the respondents. 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 Warden 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 10th rank in the District Adi Dravidar Welfare Department and 105AC Rank in the District Collectorate and 349 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 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,
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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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