



W.P.(MD)No.12734 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.12734 of 2024

E.Chandru

... Petitioner

Vs.

1. The Chief Education Officer,
Tirunelveli,
Tirunelveli District.

2. The District Educational Officer,
Office of District Educational Officer,
Tirunelveli District.

3. The Corporate Manager,
Church of South India,
Tirunelveli CSI Diocese,
Tirunelveli.

4. The Correspondent,
The Schaffter Higher Secondary School,
Tirunelveli District.

... Respondents



W.P.(MD)No.12734 of 2024

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to pass orders on the representation submitted by the petitioner dated 17.09.2021 and subsequent reminders dated 20.09.2021, 24.09.2021 and 15.12.2022 for granting compassionate appointment to the petitioner in any suitable post based on his education qualifications in the 3rd and 4th respondents school on compassionate grounds within a time frame fixed by this Court.

For Petitioner : Mr.P.Senthil

For Respondent : Mr.T.Amjadkhan

Government Advocate for R1 & R2

ORDER

The present writ petition has been filed seeking a Writ of Mandamus to direct the respondents 3 & 4 to consider the petitioner's representation dated 17.09.2021 and subsequent reminders dated 20.09.2021, 24.09.2021 and 15.12.2022 for compassionate appointment.



W.P.(MD)No.12734 of 2024

WEB COPY

2. Heard Mr.P.Senthil, learned counsel for the petitioner and Mr.T.Amjadkhan, learned Government Advocate for the respondents 1&2.

3. The petitioner's father, who was working as a Sanitary Worker in the 4th respondent school had died on 12.09.2021 while he was in service. Hence, the petitioner had given a representation to the respondents on 17.09.2021 seeking for compassionate appointment as his family is in indigenous circumstances. The petitioner also sent several reminders thereafter. So far the said representations were not considered by the respondents, hence, the present writ petition has been filed.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ



W.P.(MD)No.12734 of 2024

WEB COPY

of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the representation of the petitioner within a specific time frame.

5. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 15.12.2022 on its own merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

6. With the above direction, the Writ Petition stands **disposed of**.

No costs.

14.06.2024

NCC :yes/no

Index :yes/no

PJL



W.P.(MD)No.12734 of 2024

WEB COPY

To

1. The Chief Education Officer,
Tirunelveli,
Tirunelveli District.

2. The District Educational Officer,
Office of District Educational Officer,
Tirunelveli District.



WEB COPY



W.P.(MD)No.12734 of 2024

R.N.MANJULA, J.

PJL

W.P.(MD)No.12734 of 2024

14.06.2024