



WP(MD) No.13562 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.13562 of 2024
and
W.M.P(MD)No.11958 of 2024

K.Aravind

... Petitioner

Vs.

1.The Zonal Manager,
Life Insurance Corporation of India,
Southern Zone, LIC Building,
Anna Salai,
Chennai - 600 002.

2. The Senior Divisional Manager,
Life Insurance Corporation of India,
Divisional Office,
Thanjavur,
Thanjavur District.



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3.The Manager (P&IR),
Life Insurance Corporation of India,
Divisional Office,
Jeevan Prakash,
P.B.No.39, Gandhiji Road,
Thanjavur - 613 001.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in Ref.P&IR/NRN dated 13.12.2022 on the file of the respondent No.3 and quash the same as illegal and consequently direct the respondent No.2 and 3 to appoint the petitioner under the Scheme of Compassionate Appointment in any suitable post by considering the representation of the petitioner dated 09.03.2023.

For Petitioner : Mr.T.Aswin Raja Simman

For Respondents : Mr.C.Godwin

Standing Counsel

ORDER

The present writ petition has been filed seeking a Writ of Certiorarified Mandamus to quash the impugned order in Ref.P&IR/NRN dated 13.12.2022 on the file of the respondent No.3 and



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consequently direct the respondent No.2 and 3 to appoint the petitioner under the Scheme of Compassionate Appointment in any suitable post by considering the representation of the petitioner dated 09.03.2023.

2. Heard Mr.T.Aswin Raja Simman, learned counsel for the petitioner and Mr.C.Godwin, learned Standing Counsel appearing for the respondents.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The petitioner, who has applied for compassionate appointment in view of the death of his father Krishnamoorthy was working as a Higher Grade Assistant and died on 11.04.2022, while he was in service. The petitioner's application has been rejected by stating the following in the order dated 13.12.2022 :

“This is with reference to your request, dated Nil received by us on 21.06.2022, in respect of the above captioned. The matter was



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submitted to the competent authority and it is found not possible to accede to your request.”

5. The learned counsel for the petitioner submitted that the order is cryptic without having any reason.

6. It is seen from some of the communication between the petitioner and the third respondent that the petitioner has been called upon to produce certain particulars and documents. In such case, the order considering the request of the petitioner ought to have been passed on merits by stating the reasons. Since the impugned order is bereft of reasons, the order is liable to be set aside.

7. In view of the aforesaid reason, this writ petition is **allowed** and the impugned order dated 13.12.2022 of the third respondent is set aside. The matter is remitted back to the



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respondents and the respondents shall reconsider and pass fresh orders in accordance with law, on its own merits, of the representation of the petitioner within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

25.06.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
RM



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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.13562 of 2024

Dated:
25.06.2024