



WP(MD). No.14344 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 02/07/2024

CORAM

The Hon`ble Ms.Justice R.N.MANJULA

WP(MD). No.14344 of 2024

Pankajam .B

... Petitioner

Vs

1. The Secretary to the Government of Tamil Nadu,
Department of Higher Education,
Secretariat, Chennai..

2. The Vice Chancellor,
Madurai Kamaraj University,
Palkalai Nagar,
Madurai - 625 021..

3. The Reistrar,
Madurai Kamaraj University,
Palkalai Nagar,
Madurai - 625 021..

4. The Principal,
Madurai Kamaraj University College,
Alagarkoil Road,
Madurai - 625 002..

... Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the



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respondents to provide compassionate appointment to the petitioner in the respondents any one institutions on the death of her husband D.Balasubbu on 16.08.2014 while in his service as Key Punch Operator before the respondent No.4 within stipulated period by this Honourable Court.

For Petitioner : Mr.M.U.Shameem John,
For Respondent : Mr.M.Siddharthan for R1
Additional Government Pleader
Mr.Ashaiq Ismail for
Mr.T.Cibi Chakraborty for R2 to R4

ORDER

The writ petition has been filed for a mandamus to direct the respondents to provide compassionate appointment to the petitioner in the respondent's any one institutions on the death of her husband D.Balasubbu on 16.08.2014 while in his service as Key Punch Operator before the respondent No.4 within stipulated period by this Court.

2. Heard the learned counsel for the petitioner, learned Additional Government Pleader for the respondent No.1 and the learned counsel for the respondents 2 to 4.



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3. By consent, the writ petition itself is taken up for final disposal.

4. The petitioner, who is the wife of the deceased employee, who was working in the 4th respondent, died on 16.08.2014. She, being the legal heir, claiming compassionate appointment, has sent a representation to the respondents on 28.01.2019 requesting them to consider her for appointment to any post on compassionate ground. Since the said representation was not considered, the petitioner is before this Court with this writ petition.

5. 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 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



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consider the representation of the petitioner within a specified time frame.

6. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 28.01.2019 on its own merits and pass appropriate orders in accordance with law, after making due enquiry, 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 case or the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

7. With the above direction, this writ petition is **disposed of**. No costs.

02.07.2024

RR

To

1. The Secretary to the Government of Tamil Nadu,
Department of Higher Education,
Secretariat, Chennai..



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R.N.MANJULA,J

RR

**ORDER
IN
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