



WP(MD) No.16128 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.16128 of 2024

K.Indira

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by its Secretary (Transport),
Fort St. George,
Chennai – 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation,
Bye-pass Road,
Madurai – 625 010.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to grant appointment on compassionate grounds on the



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petitioner's daughter K.Anitha, aged about 30 years, on account of the demise of the petitioner's husband late S.P.Krishnaswamy who worked as the driver in the second respondent's Corporation within the time stipulated by this Court.

For Petitioner : Mr.M.Kannan

For Respondents : Mr.J.Ashok – for R.1

Additional Government Pleader

Mr.S.Ramachandra Pradeep – for R.2

Standing Counsel

ORDER

The petitioner has filed this writ petition seeking for a Writ of Mandamus to direct the respondents to grant appointment on compassionate grounds on the petitioner's daughter K.Anitha, aged about 30 years, on account of the demise of the petitioner's husband late S.P.Krishnaswamy who worked as the driver in the second respondent's Corporation.

2. Heard Mr.M.Kannan, learned counsel appearing for the petitioner, Mr.J.Ashok, learned Additional Government Pleader



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appearing for the first respondent and Mr.S.Ramachandra Pradeep, learned Standing Counsel appearing for the second respondent.

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

4.The learned counsel for the petitioner submitted that the petitioner's husband died in the year 2005, while he was in service and hence, the petitioner had filed an application seeking compassionate appointment. Thereafter, the petitioner filed a writ petition in W.P. (MD)No.6103 of 2007 challenging the refusal of payment of pensionary benefits and sought appointment on compassionate grounds. In that writ petition, this Court has directed the respondents to grant pensionary benefits and gave direction to the respondents to the effect that in the event of the petitioner withdrawing her application and giving an application for her legal heirs, the same ought to have been considered. Subsequently, the petitioner has withdrawn her application and sought employment for her daughter namely, Anitha, by giving appropriate application. The second respondent, by proceedings, dated 18.07.2022,



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had mechanically sent reply based upon the petitioner's application given to the Hon'ble Chief Minister's Special Cell stating that the petitioner's request will be considered as per the eligibility. Thereafter, there is no communication whatsoever from the second respondent in this regard. Hence, the petitioner has filed this writ petition.

5. Considering the facts and circumstances of the case, application of this nature has to be considered at the earliest and orders should have been issued.

6. Since the petitioner was said to be a dependant of the deceased, it is needless to say that subsequent to the death of the petitioner's husband, she will be perplexed.

7. In view of the above stated reason and also considering the situation of the petitioner, this Writ Petition is **disposed of** and the respondents are directed to consider the petitioner's daughter K.Anitha, for compassionate appointment and pass appropriate orders on its own merits and in accordance with law within a period of eight weeks from



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the date of receipt of a copy of this order. No costs.

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19.07.2024

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

To

- 1.The Government of Tamil Nadu,
Represented by its Secretary (Transport),
Fort St. George,
Chennai – 600 009.
- 2.The Managing Director,
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Bye-pass Road,
Madurai – 625 010.



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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.16128 of 2024

19.07.2024