



W.P.(MD)No.17213 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.17213 of 2024

S.Subash Castro

... Petitioner

vs.

1.The Director of School Education,
DPI Campus, 6, college Road,
Subba Road Avenue,
Nungambakkam,
Chennai - 600 006.

2.The Chief Educational Officer,
Office of Chief Educational Officer,
Tenkasi, Tenkasi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to direct the second respondent to grant compassionate ground appointment to the petitioner for the demise of the petitioner's father late S.Sethuraj while in service on 29.10.2019 by considering the petitioner's representations dated 10.02.2021 and 25.04.2022 within a stipulated time.



W.P.(MD)No.17213 of 2024

For Petitioner : Mr.A.Haja Mohideen
For Respondents : Mr.S.Siddharthan
Additional Government Pleader

ORDER

Heard Mr.A.Haja Mohideen, learned Counsel for the petitioner and Mr.S.Siddharthan, learned Additional Government Pleader appearing for the respondents.

2. This writ petition has been filed seeking a Writ of Mandamus directing the first respondent to direct the second respondent to grant compassionate ground appointment to the petitioner for the demise of the petitioner's father, late S.Sethuraj while in service on 29.10.2019 by considering the petitioner's representations dated 10.02.2021 and 25.04.2022 within a stipulated time.

3. The petitioner's father, who has been working as a Headmaster in Sambavar Vadakari Government High School, Tenkasi District had passed away on 29.10.2019. Subsequently, the petitioner has given representations dated 10.02.2021 and 25.04.2022 to the respondents



W.P.(MD)No.17213 of 2024

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seeking compassionate employment. Since the said representations were not considered, the present writ petition has been filed.

4. The learned Counsel for the petitioner would submit that though the petitioner made representations to the respondents seeking compassionate employment, the respondents have not considered the same so far and hence, he prayed for a direction to the respondents to consider the representation of the petitioner.

5. It is needless to point out that whenever a representation of this nature is made to a Government Authority, there is a duty cast upon them to consider the same on their 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 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 consider the representations of



W.P.(MD)No.17213 of 2024

the petitioner within a specified time frame.

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6. In view of the above discussion, this writ petition is **disposed of** and the second respondent herein, who is the appropriate authority, is directed to consider the petitioner's representations dated 10.02.2021 and 25.04.2022 on its own merits and pass appropriate orders in accordance with law, within a period of two 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 second respondent to consider the same on its own merits. No costs.

26.07.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order
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W.P.(MD)No.17213 of 2024

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W.P.(MD)No.17213 of 2024

R.N.MANJULA, J.

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W.P.(MD)No.17213 of 2024

26.07.2024