



W.P.(MD).No.25648 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.25648 of 2022

A.Kiruthika

...Petitioner

Vs

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Tahsildar,
Taluk Office,
Pudukkottai,
Pudukkottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the first respondent to give suitable employment on compassionate ground and this Honble Court may be pleased to direct the second respondent to issue a integrated certificate as requested by the first respondent for compassionate appointment within a stipulated time.

For Petitioner : Mr.R.Paranjothi

For Respondents : Mr.J.Ashok
Government Advocate



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ORDER

Heard Mr.R.Paranjothil, learned counsel for the petitioner and Mr.J.Ashok, learned Government Advocate for the respondents.

2. This Writ Petition has been filed for issuance of Writ of Mandamus seeking direction against the first respondent to give suitable employment on compassionate ground and to direct the second respondent to issue a integrated certificate as requested by the first respondent for compassionate appointment.

3. Mr.R.Paranjothil, learned counsel for the petitioner submitted that the petitioner's mother who was employed as Junior Assistant in the Revenue Department was permitted to retire on medical invalidation. The petitioner is the eldest daughter and her sister namely Aarthi got married a person of her choice and she was selected as Junior Assistant through TNPSC. She is living separately along with her husband without providing any monetary assistance to the family. Under such circumstances, the petitioner's mother submitted an application seeking compassionate appointment for the petitioner and the same was returned for certain defects and also directed the petitioner to produce the



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necessary documents including Integrated Certificate from the jurisdictional Tahsildar along with the application. In pursuance thereof, when the petitioner approached the second respondent with the application, the same was rejected vide order dated 07.10.2021 on the ground that the petitioner's sister was already employed in the Government Department. The petitioner's mother submitted another application dated 02.11.2020 reiterating the family circumstances and requested to consider the application. Since no action was taken, the petitioner approached this Court by way of filing this Writ Petition.

4. The learned counsel for the petitioner submitted that the respondents without considering the guidelines of G.O.Ms.No.18, Labour and Employment Department dated 23.01.2020 for issuing Integrated Certificate, has rejected the petitioner's application.

5. The Government Order in G.O.Ms.No.18 Labour and Employment Department dated 23.01.2020 was issued by laying certain guidelines for compassionate appointment. The guidelines of the above Government Order would state that if any one of the family members is in the Government Department, even before the death / retirement/ voluntary retirement on medical validation of the Government employee,



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and was living separately without extending any help for the family, then the case of other eligible dependants can be considered. The petitioner claims that her sister has already got married and her employment is nothing to do with the petitioner's family which is suffering in penury due to retirement on medical invalidation of her mother.

6. In view of the above facts and circumstances of the case, this writ petition is disposed of and the respondents are directed to make a comprehensive enquiry and directed to issue Integrated Certificate by considering the ground realities as to the economical fitness of the person concerned for getting appointment as claimed. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. No costs.

21.06.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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R.N.MANJULA, J.

Nsr

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