



W.P.No.289 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2025

CORAM:

THE HONOURABLE MRS. JUSTICE N. MALA

Writ Petition No.289 of 2022

N. Ranjith Kumar

... Petitioner

Vs.

1. The District Collector,
Coimbatore District,
Coimbatore.

2. The Regional Joint Director of Animal Husbandry,
Coimbatore.

... Respondents

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the second respondent bearing Na.Ka.No.3090/A2/2019, dated 24.06.2021 and quash the same and direct the second respondent to consider the case of the petitioner for compassionate appointment as per the application of the petitioner dated 05.06.2023 and 02.02.2021 submitted through the first respondent.

For Petitioner : Ms.T. Hemalatha

For Respondents : Mr.L.S.M.Hasan Fazil
Additional Government Pleader



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ORDER

The present Writ Petition is filed for the issuance of a Writ of Certiorari Mandamus, to call for the records of the second respondent bearing Na.Ka.No.3090/A2/2019, dated 24.06.2021 and quash the same and direct the second respondent to consider the case of the petitioner for compassionate appointment as per the application of the petitioner dated 05.06.2023 and 02.02.2021 submitted through the first respondent.

2. The petitioner states that his father namely, A.Nagarajan, who was working as a Veterinary Assistant in the office of the Animal Husbandry Department, Ambarampalayam, Coimbatore District, died in harness on 03.04.2012. The petitioner's mother namely, Kaleeswari, predeceased his father on 07.04.1988, and the petitioner is the only legal heir of his deceased father. The legal heirship certificate was also issued to the petitioner on 30.05.2019, by the Tahsildar, Aanaimalai Taluk, Coimbatore District.



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3. While so, the petitioner submitted a petition on 05.06.2013 for compassionate appointment to the first respondent on the grievance day at the office of the first respondent. The said petition was numbered as Petition No.50 and the same was forwarded to the second respondent on the same day. Thereafter, the petitioner submitted another petition on the grievance day to the first respondent on 10.11.2014, in Petition No.321 and the same was also forwarded to the Assistant Director, Animal Husbandry Department, Pollachi. Later, the petitioner came to understand that the petition had to be given directly to the Animal Husbandry Department. Therefore, the petitioner started submitting representations from the year 2016 onwards to the Animal Husbandry Department.

4. It is further stated by the petitioner that the petitioner made another petition on the grievance day to the first respondent on 10.12.2020 and the same was forwarded to the second respondent on 13.01.2021. Pursuant to the same, the Tahsildar, Aanaimalai Taluk, made enquiries and reported that the petitioner is living in penury. While so, the



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second respondent rejected the petitioner's application for compassionate appointment by the impugned order dated 24.06.2021, stating that the application was submitted beyond the period of three years, from the date of death of the Government Servant, which was on 03.04.2012. Aggrieved by the impugned order, the present Writ Petition has been filed.

5. During the pendency of the Writ Petition, a learned Judge of this Court on 26.06.2024, after hearing the arguments of the learned counsel appearing on either side, directed the learned Additional Government Pleader to verify the veracity of the numbers and endorsement contained in the petitioner's representations dated 05.06.2013 and 10.11.2014.

6. The learned Additional Government Pleader, on the basis of the instructions received by him, submitted that as the representations were submitted by the petitioner in 2013 and 2014, almost a decade ago, the records were not available.



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7. As the respondents have not been able to check the veracity of the petitions filed by the petitioner in 2013 and 2014, I deem it fit to give the benefit of doubt to the petitioner. The petitioner annexed the Petition Nos.50 and 321, submitted by him on 05.06.2013 and 10.11.2024 to the first respondent on the grievance day, in the typed set of papers. The second respondent has passed the impugned order rejecting the petitioner's request for compassionate appointment on the only ground that the petition submitted by him was beyond the period of 3 years. Hence, I am of the view that an opportunity should be given to the petitioner to submit the aforementioned petitions to the respondent, so as to reconsider the issue in the light of the said petitions. The impugned order of the second respondent in Na.Ka.No.3090/A2/2019, is therefore, set aside and the matter is remanded to the second respondent for fresh consideration on merits and in the light of the aforesaid petition Nos.50 and 321. The second respondent is directed to consider the petitioner's representation dated 02.02.2021, in the light of the aforesaid petitions submitted on the grievance day to the first respondent on 05.06.2023 and 10.11.2024 and pass orders on merit and in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.



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WEB COPY 8. With the above directions, this Writ Petition is disposed of.

There shall be no order as to costs.

20.03.2025

ASI

To

1. The District Collector,
Coimbatore District,
Coimbatore.
2. The Regional Joint Director of Animal Husbandry,
Coimbatore.



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N. MALA, J.

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