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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2025

CORAM

**THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN**

**W.P.No. 2930 of 2025**

Dr. Prabhavathy

... Petitioner

**..Vs..**

1. The Secretary to Government  
Municipal Administration and Water Supply Department  
Fort St. George  
Chennai – 600 001.
2. The Commissioner  
Greater Chennai Corporation  
Ripon Building, Chennai – 600 003.
3. The Zonal Officer  
Zone 6,  
Greater Chennai Corporation  
No.158, Strahans Road  
Purasaiwakkam, Chennai – 600 012.
4. P.Devi

... Respondents

**PRAYER:** Petition under Article 226 of the Constitution of India, praying



for the issue of a Writ of Mandamus to direct the second respondent to appoint the petitioner on compassionate grounds without insisting on no-objection certificate from mother-in-law.

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For Petitioner :: Mr.N.Beulah John Selvaraj  
For 1<sup>st</sup> Respondent :: Mr. C.Selvaraja  
Additional Government Pleader  
For RR 2 & 3 :: Mr.E.Abinaya Lakshana  
Greater Chennai Corporation  
For 4<sup>th</sup> Respondent :: Mr. V.S.Narayana Rao

### **ORDER**

The Writ Petition has been filed in the nature of a Mandamus seeking a direction against the respondents to appoint the petitioner on compassionate grounds without insisting on no-objection certificate from the fourth respondent/mother-in-law.

2. In the affidavit filed in support of the Writ Petition, it had been stated that the petitioner had married P.David on 21.02.2022 and a male child was born on 28.12.2022. The husband of the petitioner was working as



Malaria employee at Zone 5 Division 57 of Greater Chennai Corporation, and his service had been deputed to the third respondent. His employee number was 862705.

3. It is contended that the husband of the petitioner unfortunately died on 16.12.2023 and the cause of death was that he consumed poison and in this connection, FIR in Cr.No. 363 of 2023 had been registered by the Ice House Police Station, Triplicane on 16.12.2023. The petitioner, the fourth respondent and the minor son of the petitioner are the only legal heirs. The petitioner had given an application before the third respondent seeking to be appointed on compassionate grounds. The only hurdle was not the order of the respondents but rather the fact that the fourth respondent had sent a legal notice stating that she had not given the consent for the petitioner to be appointed.

4. When the matter came up for admission, this Court had directed notice to the fourth respondent and the learned counsel had also entered appearance.

5. The learned counsel for the fourth respondent stated that the fourth



respondent has also an aged mother to look after and that she had also borrowed money towards the marriage of her son, who is now deceased and stated that her interest both financial and otherwise must also be protected by the Court.

6. The learned counsel for the respondent Nos. 1 to 3 respondents stated that the terminal benefits of P.David had not yet been settled. The legal heirs, who are entitled to receive a share in the said benefits are the petitioner as his widow, the fourth respondent as his mother and also the minor son. The amounts may be divided and paid to the mother, the fourth respondent and to the petitioner and to the minor son. The share of the minor son may be kept in fixed deposit and the fixed deposit may be in the joint names of both the petitioner and also the fourth respondent. With respect to the family pension, if employment is granted to the petitioner herein, the respondents may invite both the petitioner and the fourth respondent about disbursement of the family pension also in equal terms to the petitioner and also to the fourth respondent. These are only suggestions but ultimately, the third respondent will have to take a decision on the said issue.



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7. Let orders be passed granting appointment to the petitioner if she is otherwise eligible within a period of four weeks from the date of receipt of a copy of this order, in a post which is commensurate with her educational qualification.

8. The Writ Petition stands disposed of. No order as to costs.

24.02.2025

vsg

Index: Yes/No

Internet: Yes/No

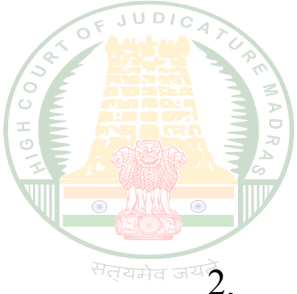
Speaking / Non Speaking Order

To

1. The Secretary to Government  
Municipal Administration and Water Supply Department  
Fort St. George  
Chennai – 600 001.

**C.V.KARTHIKEYAN, J.,**

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