



WEB COPY



W.P.No.8323 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 02.04.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.8323 of 2023

M. Deepa

...Petitioner

Vs

1. The Commissioner,
Municipal Administration,
Ezhilagam, Chennai 600 005.

2. The Zonal Director,
Municipal Administration, Tirupur.

3. The Commissioner,
Sathyamangalam Municipality
Sathyamangalam, Erode District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to appoint the petitioner on compassionate ground in the 3rd respondent's Municipality as Sweeper on the basis of the representation of the petitioner dated 18.03.2021 and 17.03.2020 within a time frame to be fixed by this Court.

For Petitioners : Mr.K.A.Mariappan

For Respondents 1 &2 : Mr.S. Rajesh, GA

For Respondent -3 : Mr.B.Anand



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ORDER

This petition is filed seeking to issue a Writ of Mandamus directing the 3rd respondent to appoint the petitioner on compassionate ground in the 3rd respondent's Municipality as Sweeper on the basis of the representation of the petitioner dated 18.03.2021 and 17.03.2020 within a time frame to be fixed by this Court.

2. The facts of the case is that the father of the petitioner worked as a sweeper in the Sathyamangalam, Municipality/third respondent and died while in service due to illness. Pursuant to which the petitioner applied for appointment on compassionate ground as sweeper in the 3rd respondent Municipality along with necessary documents. However, the second respondent rejected the same vide order dated 28.02.2017 in No.O.Mu.No.586/2017/A2 on the ground that the application was submitted beyond the period of 3 years and the petitioner also got married. Hence, the petitioner gave explanations for the said delay and re-presented the application to the third respondent, who inturn rejected the same vide order in No.Ka.No.1818/2016/C1 dated 09.08.2018.



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Thereafter, the petitioner made a representation before the respondents.

However, the same was not considered till date. Hence, this petition.

3. The learned counsel for the petitioner submitted that the petitioner is now working as a contract labour and her family is in a very indigent circumstance and not able to spend money even for day to day needs. Hence, prays to allow this petition.

4. The learned Additional Government Pleader appearing for the third respondent has produced a letter dated 20.01.2025 in Na.Ka.No.497/2023/C1, wherein it has been stated that as of now there is no vacancy in their Municipality. However, the State Wide List of vacancies will be available with the first respondent, who will consider the same and provide appointment after taking note of the seniority, educational qualifications etc.,

5. Heard both sides and perused the materials available on record.



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6 . Considering the facts and circumstances of the case, this Court directs the respondents to consider the representation of the petitioner and pass orders on merits and in accordance with law, within a period of sixteen weeks from the date of receipt of a copy of this order. The petitioner is directed to produce all the documents available with her to substantiate her case.

7. With the above observations this writ petition stands disposed of. No order as to costs.

02.04.2025

Index:Yes/No

Speaking order/Non-speaking order
smn

To.

1. The Commissioner,
Municipal Administration,
Ezhilagam, Chennai 600 005.
2. The Zonal Director,
Municipal Administration, Tirupur.
3. The Commissioner,
Sathyamangalam Municipality
Sathyamangalam, Erode District.



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V.BHAVANI SUBBAROYAN,J.

Smn

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