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W.P.No.25179 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

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THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.25179 of 2025

R.Rakesh

... Petitioner

Vs.

1.The Additional Chief Secretary,
Transport Department,
Secretariat,
Fort St.George, Chennai – 600 009.

2.The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd,
No.2, Pallavan Salai,
Chennai – 600 002.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to give compassionate appointment to the petitioner and disburse the arrears and gratuity, based on the representation sent by the petitioner dated 28.04.2025.



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For Petitioner : Mr.M.Gangatharan

For Respondents : Mr.N.Naveen Kumar
Government Advocate
for R1

Mr.R.Balaji
Standing Counsel
for R2

ORDER

The instant writ petition has been filed with a prayer for issuing a Mandamus, to direct the respondents to give compassionate appointment to the petitioner and disburse the arrears and gratuity, based on the representation sent by the petitioner dated 28.04.2025.

2. The learned counsel for the petitioner would submit that the petitioner's father was working as a Driver and died on 28.03.2024. After the demise of the petitioner's father, the petitioner had given a representation on 28.04.2025 claiming compassionate appointment, and such representation is still pending with the respondents.



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3. Per contra, the learned Standing Counsel appearing for the 2nd respondent would vehemently contend that the petitioner's father was dismissed from service 27.10.2020 and his dismissal was subsequently approved by the approving authority. Hence, he further contended that the petitioner's father was dismissed from service, and died, the petitioner would no way benefit and contended that he would not entitled for any compassionate appointment. The submission so made by the learned Standing Counsel for the 2nd respondent was adopted by the learned Government Advocate appearing for the 1st respondent.

4. Though the claim made in the representation dated 28.04.2025 for compassionate appointment, he has also made claim in respect of terminal benefits.

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



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6. In view of the above submission, without going into the merits of this Writ Petition, this Court deems it appropriate to direct the respondents to consider the petitioner's representation dated 28.04.2025, and pass orders on its own merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order.

7. In the result, this Writ Petition is disposed of with the above observations. No costs.

10.07.2025

Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No
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To

- 1.The Additional Chief Secretary,
Transport Department,
Secretariat,
Fort St.George, Chennai – 600 009.
- 2.The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd,
No.2, Pallavan Salai,
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C.KUMARAPPAN, J.

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