

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.02.2017

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

WP.No.4872/2017

P.Bharathy

.. Petitioner

Versus

1. The Managing Director,
Tamilnadu Government Transport
Corporation Ltd.,
Kancheepuram District.
 2. The Managing Director,
Tamilnadu Government Transport
Corporation Ltd.,
Villupuram District.
 3. The General Manager,
Tamilnadu Government Transport
Corporation Ltd.,
Kancheepuram District.
 4. The Assistant Manager (Employee),
Tamilnadu Government Transport
Corporation Ltd.,
Kancheepuram District.
 5. The General Manager,
Tamilnadu Government Transport
Corporation Ltd.,
Villupuram District.,
 6. The Assistant Manager (Employee)
Tamilnadu Government Transport
Corporation Ltd.,
Villupuram District.
- ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents transport Corporation to consider the petitioner representations dated 26.12.2015 and 05.05.2016 for appointment under the compassionate ground in respondents Transport Corporation.

For Petitioner : Mr.P.Murali
For Respondents: Mr.P.Paramasivadoss

ORDER

By consent, the writ petition is taken up for final disposal. Mr.P.Paramasivadoss, learned Standing Counsel accepts notice on behalf of the respondents.

2 The petitioner claims to be adopted daughter of [late] V.Palani, who worked as a Driver [Staff No.40992] at Thiruvallur Depot in the services of MGR Transport Corporation. According to the petitioner, her adoption was as per the Hindu Rites and Customs. The petitioner would aver that her father, viz., Palani, expired on 05.01.2001 and she has also been issued with a Legal Heirship Certificate. The petitioner would further aver that on expiry of her father, her mother is entitled to seek employment on compassionate ground and accordingly, she was also called to attend the interview on 28.12.2015. However, no progress took place. Thereafter, the petitioner's mother has submitted a representation on 27.12.2015, seeking compassionate ground appointment for the petitioner and the petitioner had also submitted a similar application on 05.05.2016 to the 3rd respondent to consider the claim of her appointment on compassionate ground. The grievance expressed by the petitioner is that so far, no orders have been passed and therefore, she came forward to file the present writ petition.

3 The learned counsel for the petitioner would submit that in the light of the fact that the petitioner happens to be the adopted daughter of [late] Palani, who was an employee, there cannot be any impediment on the part of the respondents to consider her claim and give her compassionate ground appointment in commensurate with her qualification and prays for appropriate orders.

4 The Court heard the submissions of Mr.P.Paramasivadoss, learned Standing Counsel appearing for the respondents and also perused the materials placed before it.

5 This Court, taking into consideration, the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 3rd respondent to consider and dispose of the petitioner's representations dated 26.12.2015 and 05.05.2016 respectively seeking appointment on compassionate ground, on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6 The Writ petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

AP

To

1. The Managing Director,
Tamilnadu Government Transport Corporation Ltd.,
Kancheepuram District.
2. The Managing Director,
Tamilnadu Government Transport Corporation Ltd.,
Villupuram District.
3. The General Manager,
Tamilnadu Government Transport Corporation Ltd.,
Kancheepuram District.
4. The Assistant Manager (Employee),
Tamilnadu Government Transport Corporation Ltd.,
Kancheepuram District.
5. The General Manager,
Tamilnadu Government Transport Corporation Ltd.,
Villupuram District.
6. The Assistant Manager (Employee)
Tamilnadu Government Transport Corporation Ltd.,
Villupuram District.

+ 1 cc to Mr.P. Murali, Advocate SR.12722

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KJ(CO)
EU 14.03.17