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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2015

CORAM :

THE HONOURABLE MR.JUSTICE V.RAMASUBRAMANIAN

and

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Writ Appeal(MD) No.1366 of 2015

P.Murugan

... Appellant

Vs.

The District Collector,
Tirunelveli District,
Tirunelveli.

... Respondent

Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 10.09.2013 made in W.P.(MD)No.14941 of 2013.

Prayer in WP(MD)No.14941 of 2013 : Writ petition is filed under Article 226 of the Constitution of India praying for an issuance of a writ of Certiorarified Mandamus to call for the records of the impugned order passed by the respondent in Pa.Mu.A4/4252/2007 dated 06.08.2013 and quash the same as illegal and for consequential direction to provide employment to the petitioner as Village Administrative Officer on compassionate ground within a stipulated time.

For Appellant

: Mr.B.Vijay Karthikeyan

For Respondent

: Mr.M.Alagadevan,

Special Government Pleader

JUDGMENT

(Judgment of the Court was delivered by **V.RAMASUBRAMANIAN, J**)

The appeal arises out of the dismissal of a writ petition filed by the appellant seeking appointment on compassionate grounds.

2.Heard Mr.B.Vijay Karthikeyan, learned counsel for the appellant.

<https://hcservices.ecourts.gov.in/hcservices/>

3.At the time of death of the appellant's father in harness, the appellant's father was already 58 years. But since the age of



retirement of the post he was holding was 60 years, he has deemed to have died in harness, otherwise he would have died after retirement.

4. The deceased Government servant left behind five legal heirs, the last of whom is the appellant who was aged 24 years at the time of death. The wife of the deceased was aged 53 years. The deceased had two other sons and one daughter, all of whom were married and settled. One of them was also in Government service. The family also had some properties. Therefore, the respondent rejected the claim for compassionate appointment and the learned Judge upheld the order of rejection. We find nothing wrong in the order of the learned Judge. Therefore, the writ appeal is dismissed. No costs.

Sd/-
Assistant Registrar (C.S. -I)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
Tirunelveli District,
Tirunelveli.

+1cc to Mr. B. Vijaykarthikeyan, Advocate Sr.No.72462
+1cc to The Special Government Pleader Sr.No.72672

akm/04.01.2016/2p-4c/AAL/MPA

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