



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2015

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

WRIT PETITION (MD) No.1091 of 2015

WEB COPY

P.Thangamani

...Petitioner

-vs-

1. The State of Tamil Nadu,
Rep.by its Principal Secretary to Govt.,
Home (Tr.IV) Department,
Secretariat, Fort St.George,
Chennai-600 009.
2. The Tamil Nadu State Transport Corporation,
(Madurai Limited),
Rep. by its Regional Manager,
Madurai.
3. The Tamil Nadu State Transport Corporation,
(Madurai Limited),
Rep. by its Manager,
Dindigul Region,
By-Pass Road, Collectorate Post,
Dindigul-624 004.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ in the nature of Mandamus, directing the respondents to consider the petitioner's case for appointment in any suitable post based on his qualification under compassionate ground based on his representation dated 30.06.2003 within the time stipulated by the High Court.

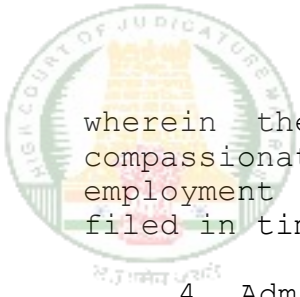
For Petitioner : Mr.G.Thalaimutharasu
For R1 : Mr.Anandraj
Govt. Advocate
For R2 & R3 : Mr.A.P.Muthupandian

O R D E R

The petitioner has come forward with this writ petition, seeking a direction to the respondents to consider his case for appointment in any suitable post based on his qualification under compassionate ground on the basis of his representation dated 30.06.2003.

2. The case of the petitioner is that his father, who was working as Checking Inspector at Natham Depot under the control of the 3rd respondent, suddenly passed away on 30.07.2002, leaving him and his mother in the lurch. Since his representation dated 30.06.2003 seeking compassionate appointment did not meet any response, he has approached this Court.

3. The relief sought by the petitioner cannot be granted in view of the decision of the Hon'ble Supreme Court in the case of Bhawani Prasad Sonkar vs. Union of India and others, reported in 2011 (3) LLN 37 (SC),



wherein the Hon'ble Apex Court, while framing some guidelines for compassionate appointment, has held that an application for compassionate employment must be preferred without undue delay and the application filed in time has to be considered within a reasonable period of time.

4. Admittedly, in this case there is a delay of more than 10 years and no case is also made out by the petitioner to grant such relief. Under such circumstances, this writ petition lacks merits acceptance and hence, the same is dismissed on the ground of delay and laches. No costs.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To:

1. The Principal Secretary to Govt.,
State of Tamil Nadu,
Home (Tr.IV) Department,
Secretariat, Fort St.George,
Chennai-600 009.
2. The Regional Manager,
The Tamil Nadu State Transport Corporation,
(Madurai Limited), Madurai.
3. The Manager,
The Tamil Nadu State Transport Corporation,
(Madurai Limited),
Dindigul Region,
By-Pass Road, Collectorate Post,
Dindigul-624 004.

+1cc to Mr.G.Thalaimutharasu, Advocate in SR.20729

+1cc to Mr.A.P.Muthupandian, Advocate in SR.21267

+1cc to the Special Government Pleader in SR.20755

WRIT PETITION (MD) No.1091 of 2015
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