



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2015

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P. (MD)No.11964 of 2015

and

M.P. (MD)No.1 of 2015

A.Ninaiva

... Petitioner

Vs.

1. The Secretary to Government,
Environment and Forest Department,
Secretariat, Chennai 600 009.

2. The Principal Chief Conservator of Forests,
Panagal Maligai,
Saidapet, Chennai 600 015.

3. The District Forest Officer, Theni,
Theni District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings in Na.Ka.No.LL2/12596/14, dated 14.05.2015 on the file of the 2nd respondent and impugned proceedings in Na.Ka.No. 3286/2014 P1, dated 02.05.2014 on the file of the 3rd respondent, quash the same and consequently, direct the respondents to provide the compassionate appointment in any other suitable post to the petitioner.

For Petitioner : Mr.P.Samuel Gunasingh

For Respondents : Mr.K.P.Krishnadoss, G.A.

O R D E R

The Writ petition has filed for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings in Na.Ka.No.LL2/12596/14, dated 14.05.2015 passed by the 2nd respondent and impugned proceedings in Na.Ka.No. 3286/2014 P1, dated 02.05.2014 passed by the 3rd respondent, quash the same and consequently, direct the respondents to provide the compassionate appointment in any other suitable post to the petitioner.

2.The case of the petitioner is that his father, who was working as a temporary Social Forestry Worker in Forest Department, died due to heart ailment on 12.10.2004. At that time, the petitioner was a minor, aged about 15 years. The petitioner's mother sent a representations on 19.10.2005 and 31.03.2006, seeking compassionate appointment for her minor son. After attaining majority, on 11.04.2014, the petitioner sent a representation to the 1st respondent, seeking employment on compassionate ground. However, respondents 2 and 3 have rejected the request of the petitioner. Hence, the petitioner is before this Court with the present Writ petition.



3. Heard the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondents.

4. Providing compassionate appointment is to overcome the economic crises by taking note of the family circumstances, etc. At the time of death of the petitioner's father, the petitioner's mother did not require any job for her, instead, she asked for an employment to her minor son, without realizing the fact that the employment of child labour is prohibited. The petitioner has become major in the year 2014 and that he made representation only on 11.04.2014. Even assuming that the petitioner has made a representation within 3 years, after attaining majority, the fact that the petitioner's mother made a representation requesting employment for her minor child clearly shows that there was no necessity for her getting employment at that relevant point of time.

5. This Court is not a recruiting agency to appoint persons on compassionate ground. Hence, I find no merits in this Writ petition. Accordingly, the Writ petition is dismissed. No costs. Consequently, connected M.P. is closed.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Environment and Forest Department,
Secretariat, Chennai 600 009.
2. The Principal Chief Conservator of Forests,
Panagal Maligai,
Saidapet, Chennai 600 015.
3. The District Forest Officer,
Theni District.

+1cc to Special Government Pleader SR.No.38861

W.P. (MD) No.11964 of 2015
14.07.2015

nbj
ns/10.08.2015 : 2p/5c